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**Office of the County Manager
Administration Department**

Tonopah Office
Nye County Courthouse
William P. Beko Justice Facility
PO Box 153
Tonopah, NV 89049
Phone (775) 482-8191
Fax (775) 482-8198

October 26, 2020

EPA Region 9
Attn: Ms. Noemi Emeric-Ford
75 Hawthorne Street, SFD6-1
San Francisco, CA 94105

Subject: Rural Desert Southwest Brownfields Coalition Application for a Brownfields Assessment Coalition Grant, Request for Applications No. EPA-OLEM-OBLR-20-06

Dear Ms. Emeric-Ford:

Nye County, Nevada, is pleased to submit this Narrative Information Sheet as the lead applicant for the Rural Desert Southwest Brownfields Coalition (RDSBC or the Coalition). The Coalition comprises eight eligible entities, including: Nye, Esmeralda, Lincoln, Mineral, and White Pine Counties in State of Nevada, Inyo County in State of California, the Duckwater Shoshone Tribe, and the Nevada Rural Housing Authority (NRHA). The NRHA is an eligible applicant as a quasi-governmental organization created by the Nevada State Legislature under Nevada Revised Statutes (NRS) 315.961 through 315.99874 (reference **Attachment 1**). Signed letters of commitment from each of these coalition members are included as **Attachment 2**.

Consistent with RDSBC's standard practices, we approached each Coalition Member's Board or Council to request renewed participation in the Program during their respective public meetings to inform and involve the community in the application between September 15 and October 6, 2020. In moving forward, we will continue the momentum the RDSBC has built within all of its member communities in the Brownfields Program. Quarterly meetings will be held with representatives from each Coalition Member who, in turn, will share information during their public board or council meetings, and conduct strategic public engagement meetings using remote webinars (or in-person, where safe to do so through public distancing, masking, and by using similar precautions as-needed). We will continue to update the RDSBC website and social media platforms to encourage community and stakeholder participation in RDSBC Program activities.

Attachment 3 provides a recent report from the Automated Standard Application for Payments (ASAP) to demonstrate that more than 90% of the funds from our previous Assessment cooperative agreement report (Account ID BF99T61801) have been received from EPA.

The following applicant information is provided in response to the requirements listed in the "FY21 Guidelines for Brownfields Assessment Grants" issued by the EPA:

1. Applicant Identification: Nye County, Nevada, 2100 E. Walt Williams Dr., Ste. 100, Pahrump, NV 89048
2. Funding Requested:
 - a) Assessment Grant Type: Coalition

- b) Federal Funds Requested:
- i) \$600,000
 - ii) No waiver is being requested
3. Location: Nye, Esmeralda, Lincoln, Mineral, and White Pine Counties in Nevada; Inyo County in California; and the Duckwater Shoshone Reservation
4. Property Information for Site-Specific Proposals: Not Applicable
5. Contacts:
- | | |
|--|---|
| <p>a. <u>Project Director</u>:</p> <p>Ms. Lorina Dellinger
 Assistant Nye County Manager
 Phone: 775-482-7319
 Email: ldellinger@co.nye.nv.us
 Address: P.O. Box 153
 Tonopah, NV 89049</p> | <p>b. <u>Highest Ranking Elected Official</u>:</p> <p>Commissioner John Koenig
 Chairman, Nye County Board of Commissioners
 Phone: (775) 751-7075
 Email: jkoenig@co.nye.nv.us
 Address: 2100 E. Walt Williams Dr. Ste. 100
 Pahrump, NV 89048</p> |
|--|---|
6. Population:
- Total Population (82,534), which includes Coalition members Nye County (43,296), Esmeralda County (1,102), Lincoln County (5,203), Mineral County (4,471), White Pine County (9,858), Inyo County (18,195), and the Duckwater Shoshone Reservation (409).

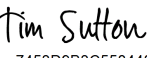
7. Other Factors Checklist:

Other Factors	Page #
Community population is 10,000 or less.	1
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	1
The priority brownfield site(s) is impacted by mine-scarred land.	1
The reuse of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or will incorporate energy efficiency measures.	1

8. Letter from the State or Tribal Environmental Authority:
- Letters from the Nevada Division of Environmental Protection, California Department of Toxic Substances Control, and the Duckwater Division of Natural Resources are provided as **Attachment 4**.

Please feel free to contact me should you have any questions or require additional information regarding this matter.

Sincerely,

DocuSigned by:

7453D9B3C558448...
Tim Sutton

County Manager, Nye County, Nevada



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Acting Director
5796 Corporate Avenue
Cypress, California 90630



Gavin Newsom
Governor

September 29, 2020

U.S. Environmental Protection Agency, Region 9
Attn: Ms. Noemi Emeric-Ford
600 Wilshire Blvd., Suite 940
Los Angeles, California 90017

**SUBJECT: STATE OF CALIFORNIA LETTER OF ACKNOWLEDGEMENT OF
COALITION APPLICATION FOR A U.S. EPA BROWNFIELDS ASSESSMENT
COALITION GRANT**

Dear Ms. Emeric-Ford:

The Department of Toxic Substances Control (DTSC) of the California Environmental Protection Agency (CalEPA) would like to offer its commitment to support the Rural Desert Southwest Brownfields Coalition's (RDSBC) application for funding under the U.S. Environmental Protection Agency (EPA) Brownfields Program. The RDSBC is an innovative partnership of municipalities consisting of Inyo County, California; Esmeralda, Lincoln, Mineral, Nye, and White Pine Counties, Nevada; the Duckwater Shoshone Tribe on the Duckwater Reservation; and the Nevada Rural Housing Authority. The DTSC of CalEPA understands and acknowledges the RDSBC is applying for a total of \$600,000 in Brownfields Assessment Coalition funding. This grant will allow the Coalition to continue the work started in 2011 that protects the environment, improves lives of the citizens of the area, and all of California.

The RDSBC members realized the need to improve existing infrastructure; and to develop new capacity for transmission lines throughout Nevada and California with the persistent interest in the development of renewable energy production facilities in each of the jurisdictions. This Brownfields Assessment Grant will enable the RDSBC to continue working together to assess brownfields sites and engage in high-level planning activities to redevelop brownfields, particularly those along transmission corridors that could promote renewable energy generation.

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Beyond brownfield^s applications for renewable energy, Nye County, Mineral County, and the Duckwater Shoshone on the Duckwater Reservation, bring experience in indoor agriculture to reduce agriculture-related water consumption, promote access to fresh, locally grown produce, and promote bioremediation through cultivated native flora. Several of the communities in the RDSBC (specifically in Mineral, Nye, and White Pine Counties) meet the U.S. Department of Agriculture's definition of a "food desert". A food desert is a rural town without ready access to fresh, healthy, and affordable food. Although Brownfield^s sites present an opportunity for indoor agricultural projects (i.e. community gardens and greenhouses), the assessment of potential locations for such facilities is critical to ensuring the proposed Brownfield site(s) is/are appropriate for these projects. The funding will also facilitate continued identification and assessment of additional project opportunities, including green space/recreational area development, and economic diversification.

The RDSBC intends to use the requested funding to continue activities initiated under the 2011, 2014, and 2017 Brownfield^s Assessment Grant. The Coalition members intend to leverage the success of its existing Brownfield^s Program and its success from previous Brownfield^s Assessment Grants to support economic diversification and redevelopment consistent with existing local government and community organization planning documents throughout the region. Sites identified and assessed, may include mine-scarred lands, abandoned automotive service and refueling stations, manufacturing facilities, historic buildings, and historic farming areas. The application will not require any property-specific determinations or other special consideration from U.S. EPA, nor is the proposed project area a federally designated Empowerment Zone, Enterprise Community, or Renewal Community.

The DTSC does not have a relationship with the applicant and fully supports the RDSBC's efforts to apply for and obtain a Brownfield^s Assessment Grant from the U.S. EPA. We appreciate the opportunity to support local agency programs because they play a critical role in California's effort to protect the environment and public health. Please add this Letter of Acknowledgement to the other Letters of Acknowledgement and letters of support from multiple government entities and community organizations in support of the RDSBC.

If you have any questions, please feel free to contact me at (714) 484-5489 or e-mail: maryam.tasnif-abbasi@dtsc.ca.gov.

Sincerely,



Maryam Tasnif-Abbasi
Brownfield Development Manager
Site Mitigation and Restoration Program

RANKING CRITERIA FOR ASSESSMENT GRANTS

1. Project Area Description and Plans for Revitalization

1.a. Target Area and Brownfields

1.a.i. Background and Description of Target Area

The Rural Desert Southwest Brownfields Coalition (the Coalition; RDSBC) is comprised of eight members: Nye, Esmeralda, Lincoln, Mineral, and White Pine Counties in Nevada; Inyo County in California; the **Duckwater Shoshone Tribe** on the Duckwater Reservation; and the Nevada Rural Housing Authority, a quasi-governmental unit that facilitates economic development and affordable housing solutions in rural Nevada. All coalition communities, with one exception, have **populations of less than 10,000 people**, for a total of 82,125 persons across 55,322 square miles in two states. Coalition Members are rural, frontier communities with limited infrastructure, dry desert climates, scarce water supplies, and a high percentage (92% or more) of federally managed lands. Despite the large land area, there are few eligible sites in the vast Target Area for (re)use. Until 2011, most of the Coalition communities depended on mono-economies related to mining, military facilities, agriculture, and/or transportation. Mining represented the major economic driver in rural Nevada and California for over 100 years and many small towns were initially developed to support mining activities. Like mining towns, military towns grew around federal facilities to support branches of the armed forces that served the nation's defense during World War II. Communities were formed along the travel routes between the mining, military, and agricultural communities to help feed and fuel travelers. As mining and military activity declined and left, brownfields were left burdened by economic, environmental and eligibility handicaps.

1.a.ii. Description of the Priority Brownfield Site(s)

The Coalition's focus will remain on prioritizing sites associated with mining (mine-scarred lands), involuntarily acquired properties, transferred defense sites, abandoned automotive service, and refueling stations. **Mine-scarred lands** pervade Coalition areas, creating physical and mine contaminant hazards. Involuntarily acquired properties and their subsequent disposition through bequeathal, tax foreclosure, and other mechanisms are a common challenge for rural communities. Redevelopment of defense sites transferred to local communities is commonly stymied by the physical condition of the property or concerns associated with previous contamination. Abandoned automotive service and refueling stations are common throughout rural Nevada and California. Facility permitting requirements, increased fuel efficiency, and the use of electric vehicles in recent years has reduced the demand of these facilities, creating an abundance of vacant service stations along transportation corridors in these areas.

The sites have been and will be prioritized for redevelopment based on the immediacy of their threat to public health and safety and the availability of funding for redevelopment. Key redevelopment projects targeted within each community include affordable housing, economic development, community benefit, and historic preservation.

The Tonopah Airport Hangars, located at the former Tonopah Army Air Field, a Formerly Utilized Defense Site, reflects priority characteristics identified by Coalition members. The Hangar buildings present hazardous environmental conditions from asbestos, lead-based paint, and various chemicals in sub-surface vaults and underground storage tanks. This example represents one of many priority sites that, upon success of this application, would be redeveloped and reused to reflect the priorities of the Coalition's member communities.

1.b. Revitalization of the Target Area

1.b.i. Reuse Strategy and Alignment with Revitalization Plans

The Coalition initially formed and continues to focus its reuse strategy to assess brownfields for **renewable energy**, innovative agriculture, tourism, and sustainable development. Reflecting the original objective, innovative, water-smart agriculture practices to combat prolonged drought conditions were sought for the

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long-term viability of the Coalition's rural members. The open spaces, public lands, water scarcity, agriculture dependence, renewable energy potential, and local histories unite the Coalition Members in a shared vision for regional land use/revitalization plans focused on economic development through renewable energy, testing and manufacturing, innovative agriculture, and tourism, all of which are identified in local planning documents (e.g. *Nevada counties' Comprehensive Economic Development Strategies*, the *Inyo County General Plan*, and the *Duckwater Renewable Energy Feasibility Assessment Document*). Redevelopment of brownfields sites will bolster rural economies in these industries, preserve local histories, facilitate recreational opportunity, and promote healthier lifestyles.

1.b.ii. Outcomes and Benefits of Reuse Strategy

The Coalition has successfully implemented the strategies described above under previous Assessment grants and will carry its momentum forward. Coalition communities support the expansion of their growing renewable energy industries, continued public involvement in brownfields identification and reuse plans, and partnership with various stakeholders, non-profits, and citizens to improve their communities, solidifying the Coalition's confidence in continued brownfields redevelopment success.

Opportunity Zones throughout the Coalition area are targeted for brownfields revitalization, as these zones provide each community the ability to leverage incentives for developers to invest in specific projects and the surrounding economy. Bishop and Death Valley of Inyo County and the Town of Pahrump in Nye County are designated as Low Income Community Opportunity Zones. The City of Bishop (population 3,746), Inyo County's largest community, addressed a portion of their community food desert issues by redeveloping a brownfield site into a Grocery Outlet.

1.c. Strategy for Leveraging Resources

1.c.i Resources Needed for Site Reuse

Coalition members have successfully leveraged past Brownfields awards through the Brownfields Program and the Mine-Scarred Lands Initiative. Nye County leveraged DOE funding to facilitate seven renewable energy workshops for developers, regulators, and other stakeholders in the region. White Pine County used DOE awards to evaluate renewable energy feasibility in its communities.

Cleanup funds are currently available for all Coalition properties through the RDSBC RLF. Additional funding is available to the Nevada Counties and the Duckwater Tribe through NDEP's Brownfields RLF Programs. Inyo County can also access California's Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Loan Program and DTSC's RLF Program.

The Coalition will continue to support EPA and NREL initiatives by leveraging federal investment to pursue renewable energy development on recycled lands and to promote water conservation through innovative agriculture. Resources produced and lessons learned from these efforts will be shared throughout the Coalition and with other rural communities in the southwestern United States.

1.c.ii. Use of Existing Infrastructure

Rural communities typically lack the funding to bring in new infrastructure, making reuse of existing infrastructure a priority. Example projects reflecting this need include the Emergency Management Services building in Tonopah (Nye County), Nevada that is built using the infrastructure from one of the Town's brownfield sites: a former abandoned hotel building. Existing water, electricity, communications, and similar infrastructure from currently inadequate housing stock (due to disrepair of buildings never initially built to code) in locations like White Pine and Esmeralda Counties, will be critical in improving the affordability of new affordable housing construction that can be leveraged by the Nevada Rural Housing Authority. As supplemental infrastructure needs are identified to enhance redevelopment projects, RDSBC's members are adept at sharing and/or coordinating opportunities for funding through USDA and Community Development Block Grants.

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2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT

2.a. Community Need

2.a.i. The Community's Need for Funding

Coalition cupboards are empty – since the 2008 recession, Coalition communities have jobless rates significantly above state and national averages. Down-sizing of the U.S. Army Depot in Hawthorne, NV, drastically reduced employment opportunities in Mineral County. The collapse in construction and mining industries through 2012 created significant challenges for its residents as the county reported poverty and median income rates worse than state and national averages; these challenges are still experienced today (Table 1). Agriculture, the major industry in Duckwater, Inyo, Lincoln, and Nye continues to struggle through drought. Since 2012, Coalition Members worked to recover from these issues; however, Nevada had a home foreclosure rate five times the national average (Reno Gazette Journal, 2019; Attom Data Solutions), with White Pine County experiencing home foreclosures of more than six times the national average.

Though Coalition Members steadily recovered from 2012 to 2020, the COVID pandemic during the first quarter of 2020 impacted rural communities far beyond infection. Despite economic diversification efforts, the Coalition struggled to attract new businesses and residents to address lost jobs as businesses closed or downsized during the pandemic. Small populations with high unemployment rates reduced the available clientele for local retail and commercial businesses. The high home foreclosure rate and reduced tax bases and associated revenue streams led local government to cut staffing and services to reduce expenditures during the second and third quarters of 2020. These services are critically needed in Coalition communities with aging and disabled populations ranging up to twice the national average.

Table 1: Coalition Member Demographic Profiles

	Target Counties/Communities							NV	CA	U.S.
	ES	IN	LN	MN	NY	WP	DW			
Population	981	18,085	5,174	4,448	43,705	9,737	299	2.92 mil	39.1 mil	322.9 mil
Median Household Income (\$)	40,000	52,874	56,414	41,163	45,711	62,993	48,636	57,598	71,228	60,293
Poverty Rate	7.2%	10.2%	6.8%	23.6%	16.2%	10.9%	13.0%	13.7%	14.3%	14.1%
Unemployment	1.8%	5.2%	10.6%	14.8%	9.4%	3.8%	8.9%	6.9%	6.7%	5.9%
Housing Vacancy Rate	52.2%	15.3%	26.2%	33.2%	16.4%	22.0%	10.0%	12.9%	7.9%	12.2%
No Health Insurance	14.2%	6.4%	7.2%	13.1%	10.9%	9.4%	12.0%	11.9%	8.5%	9.4%
≥65 Years	27.4%	22.9%	23.7%	24.7%	28.9%	16.3%	19.7%	15.0%	13.6%	15.2%
≥65 and Disabled	29.7%	37.0%	42.8%	36.0%	42.2%	35.1%	7.4%	34.8%	34.9%	35.0%
Disability Status	19.0%	14.1%	21.1%	18.7%	24.3%	16.1%	12.7%	12.8%	10.6%	12.6%
Minorities	5.0%	16.4%	10.1%	30.7%	14.0%	13.2%	92.3%	29.9%	35.9%	24.5%

Data from the U.S. Census Bureau 2014-2018 American Community Survey 5-Year Estimates

Note: Bolded numbers reflect numbers in excess of or below state and national percentages for each demographic factor that make the population of each Coalition Member more susceptible to environmental stressors

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2.a.ii. Threats to Sensitive Population

(1) Health or Welfare of Sensitive Populations

Coalition member counties (target areas) reflect the financial insecurity that Nevada continues to struggle through. Six of Seven Target Areas, including Esmeralda, Lincoln, Mineral, Nye, Inyo, and the Duckwater Shoshone Tribe reported median household incomes considerably below the national and state averages (Table 1); Esmeralda, Mineral, Nye, and Inyo Counties reported more than \$10,000 below state averages.

In addition to low-income issues, all member entities reported elderly population percentages above state and national averages. Six of Seven reported disability rates above state and national averages and five reported disabled elderly rates above state and national averages (Table 1). Lack of medical facilities that provide even basic healthcare in the majority of the Coalition's communities, coupled with persistent food desert issues throughout the RDSBC result in key environmental justice disparities in comparison with the Coalition's urban neighbors.

Brownfields redevelopment not only promotes the economic elevation of sensitive populations but also reduces health risks that disproportionately affect the sensitive (disabled, elderly, low-income) populations within our Target Areas.

(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions

Surface and air-borne contaminants (e.g. heavy metals) and soil and groundwater contamination from legacy facility operations (e.g. Formerly Utilized Defense Sites and abandoned refueling stations) represent brownfields sites common in the Target Area. These present elevated health and disease risks to humans, especially the elderly and disabled; increased incidence of birth defects, cancer, neurological diseases, asthma, kidney disease, and other serious illnesses. The Rural Health Information Hub reports incidents of Chronic Obstructive Pulmonary Disease (COPD) among rural residents as 8.2%, almost twice that of their urban counterparts at 4.7% of adults (RHIIhub 2015). All member counties reported rates of tracheal cancer, bronchus cancer, lung cancer, breast cancer, and/or cirrhosis and liver disease above state averages (IHME, 2016).

This Brownfields Assessment grant will fund identification, assessment, and ABCAs (or cleanup and reuse planning, as appropriate) to address environmental health risks disproportionately experienced by Coalition constituents. The assessment phase will include control measures to reduce or eliminate exposure to contaminants by residents. Samples collected during assessment will help cleanup and reuse plans further prevent exposure to or remove contamination. Cleanup of contaminated brownfields under this Coalition Assessment Grant will protect the health and welfare of our residents and reduce degradation of our collective environment.

(3) Disproportionately Impacted Populations

Disproportionate impacts are endemic in rural communities, as federal and state resources are concentrated in the population centers of urban communities. This disparity of resource allocation results in issues like food insecurity, unemployment, poverty, technology deficiency, and transportation problems. Healthcare facilities beyond basic first aid are located between one and three hours away from most of the communities within the Coalition. Esmeralda County, for example, does not have a grocery store or pharmacy. USDA's food desert mapping program shows most of southern Inyo and Nye Counties, and all of Esmeralda, Mineral, White Pine counties as having populations with both low income and 10 miles or more to the nearest grocery store (ers.usda.gov 2020). Grant activities will identify income generating opportunities that can be leveraged with local efforts and government fund/loan programs to deliver the services missing in these sections of the Target Area.

2.b. Community Engagement

2.b.i. Project Involvement & 2.b.ii. Project Roles

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Coalition Members depend on their extensive community-based, regional, non-profit, and training organizational networks to facilitate community building, akin to brownfields initiatives, and to foster additional network building. The following represent other organizations that provide liaisons between the Coalition, Target Area decision makers and stakeholders.

Table 2: List of Organizations/Entities/Groups & Roles

Name of Organization/Entity/Group	Point of Contact (name, phone, email)	Specific Involvement in the Project or Assistance Provided
Inyo Mono Advocates for Community Action, Inc.	Larry Emerson; (b) (6)	Public Outreach; Education
Lincoln County Regional Development Authority	Jeff Fontaine; 775-443-7667 (b) (6)	Public Outreach; Site Selection; Site Redevelopment; Planning
Nevada Small Business Development Center	Sam Males; 775-784-1717 males@unr.edu	Technical Assistance; Small Business Support; Education/Training
NyE Communities Coalition	Stacy Smith; 775-727-9970 ext. 240 stacy@nyecc.org	Public Outreach; Education/Training; Workforce Development
Southwest Central Regional Economic Development Authority	Paul Miller; 775- 727-0716 (b) (6)	Public Outreach; New Business Support
Rural Nevada Development Corporation	Mary Kerner; 775-289-8519 mary@rmdcnv.org	New Business Support

2.b.iii. Incorporating Community Input

Public meetings like Board of County Commissioners Meetings, Board of Supervisors Meetings, and Tribal Council Meetings provide information and engage the public. Coalition representatives routinely rotate locations and educate public stakeholders during quarterly meetings. These meetings facilitate Coalition awareness to sensitive, rural populations that are more likely to have travel issues and/or cannot attend public meetings. The Coalition website (www.rdsbc.org) provides information on site identification, assessment, and planning activities. Social media platforms provide updates on current projects, success stories, public meeting scheduling and agendas, public commentary period information, and educational material.

The Coalition will consider various digital forms of information exchange, meeting attendance, and participation platforms to continue vital community interaction during and in wake of the COVID-19 pandemic. The Coalition is currently using these methods, based on the localities and current Federal regulations. Aside from public meetings, the Coalition uses the Public Outreach and Community Involvement Plan to disseminate Coalition activities and requests for public feedback. Each of the eight Coalition Members designates a primary point of contact to represent that member at Coalition and public meetings. This Member representative reports feedback received from their Member communities to the Coalition and shares information from Coalition activities to the communities they represent. Feedback from community members is compiled and recorded to incorporate into future initiatives and commenting individuals are contacted to follow up on specific concerns or ideas and how they can be addressed.

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

3.a. Descriptions of Tasks/Activities and Outputs

Task 1 Program Implementation and Tracking

i. Project Implementation

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EPA-Funded Tasks: Following contract execution of a qualified environmental professional (QEP) to coordinate and facilitate meetings, initial and subsequent quarterly meetings of Coalition Member Representatives will be held to: review site lists and vote to prioritize Brownfield sites, obtain quarterly updates on project progress for each Representative's jurisdiction and on overall activities of the RDSBC program, review upcoming meetings and conferences, provide input on quarterly progress reports for EPA submission, update other representatives of Brownfields project progress in their jurisdictions, and vote on actions that affect the RDSBC program. In addition to quarterly meeting and reporting, this task includes Preparation of quarterly progress reports, annual financial status reports, and a final program report.

Non-EPA grant resources needed to carry out tasks/activities: Nye County will be responsible for development and publication of a Request for Qualifications (RFQ) for competitive selection of a QEP. Nye County will coordinate with Coalition Member Representatives for their evaluation of RFQs received and ask for their recommendation for a QEP. Nye County staff will then submit RDSBC and Nye County staff recommendations for a QEP to the Nye County Board of County Commissioners for selection of a QEP.

- ii. *Anticipated Project Schedule:* On-going throughout the grant period.
- iii. *Task/Activity Lead:* RDSBC Program Manager.
- iv. *Outputs:* QEP RFQ, QEP Contract, 3 annual Site Lists, 12 Quarterly Meeting Agendas and Summaries, 12 quarterly progress reports, 3 annual SF425 federal financial reports, 3 MBE/WBE utilization updates, and 1 final progress and SF425 federal financial report.

Task 2 Environmental Site Assessments and Planning

i. Project Implementation

EPA-funded tasks/activities: After sites are prioritized, site eligibility forms for sites will be prepared by the QEP, reviewed by the RDSBC Technical Coordinator, and submitted to the EPA Project Officer for review and determination. As sites are approved, Access Agreements will be completed by the QEP, reviewed by the RDSBC Technical Coordinator, and signed by the RDSBC Program Manager and Property Owner, as needed. Phase I ESAs, SAPs, Phase II ESAs, Cleanup/Reuse Plans, and ACRES Property Profiles will be completed as approved. Cleanup plans, consistent with an Analysis for Brownfields Cleanup Alternatives (ABCA), will be completed if RLF funding is used, and the RDSBC's RLF will be used, to expedite cleanup activities, as practicable. Public comments on the cleanup/reuse plans will be incorporated into the final document by the QEP.

Non-EPA grant resources needed to carry out tasks/activities: The Coalition Members will provide venues for public presentations, compile public comments and forward these to the QEP for incorporation into appropriate documents. Technical support for businesses and developers to help successfully complete Brownfield project redevelopment will be provided by a network of partner organizations partially listed in Table 2 of Section 2.b.

- ii. *Anticipated Project Schedule:* On-going throughout the grant period.
- iii. *Task/Activity Lead:* RDSBC Program Manager and/or RDSBC Technical Coordinator.
- iv. *Outputs:* Up to 16 Site Eligibility Forms, up to 16 Site Access Agreements; up to 16 Phase I ESAs, up to 6 Sampling and Analysis Plans (SAPs), up to 6 Phase II ESAs, up to 3 Cleanup/Reuse Plans, and up to 16 ACRES Property Profiles.

Task 3 Public Outreach and Document Development

i. Project Implementation

EPA-funded tasks/activities: The distribution and sparse population makes community outreach activities a critical element of the RDSBC's program. The RDSBC has found the most effective means

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of community outreach and stakeholder engagement to be face-to-face communication, wherever possible. As such, the RDSBC will prepare for and participation in up to 24 meetings (1 meeting with each Board/Council per year for 3 years for each of 8 Coalition Members). These may be in-person during Coalition Member Board or Tribal Council meetings, and educational and outreach conferences, where feasible and within the guidelines set by State and local leadership for the COVID-19 response. Additionally, the RDSBC will prepare for and participate in online meetings and webinars, develop social media and website posts, and prepare articles for newsletter and newspaper print distribution. In-person and on-line venues will be used to update existing RDSBC documents and maps. EPA funding will be used to cover direct expenses for RDSBC Program Manager, Technical Coordinator, and Grant Administrator participation in Regional or National Conferences to enhance their understanding of their roles in the Brownfields program. The RDSBC will pay travel expenses only for up to 7 Coalition Member Representatives to Brownfields Conferences.

Non-EPA grant resources needed to carry out tasks/activities: Coalition Member Representatives' time to participate in public meetings for their respective jurisdictions and their time to participate in national or regional conferences will be in-kind funding.

- ii. Anticipated Project Schedule: On-going throughout the grant period.
- iii. Task/Activity Lead: RDSBC Program Manager and/or RDSBC Technical Coordinator.
- iv. Outputs: 24 Meeting agendas, 24 public meeting presentations; 1 draft and 1 final Updated Public Outreach/Communications Plan, 1 draft and 1 final Updated Area Wide Planning document, 1 draft and 1 final RDSBC Map, 7 draft and 7 final updated Coalition Member maps, up to 16 Property Fact Sheets, 12 quarterly website updates, 36 monthly Facebook updates.

3.b. Cost Estimates

3.b.i. Development of Cost Estimates, 3.b.ii. Application of Cost Estimates, & 3.b.iii. Funds Allocated Toward Environmental Site Assessments

The budget for tasks listed in 3.a. are outlined in the following table. Rates provided for personnel/fringe expenses are a blended rate (\$50 per hour plus 44% Fringe Benefits) for RDSBC staff (Program Manager, Technical Coordinator, and Grant Administrator) for the three-year period. Similarly, consultant hourly rates are estimated at a blended rate of \$120 per hour, to include public outreach personnel, environmental scientists, and technical specialists. Unit costs for technical reports are based on previous costs from prior grants and include allowance for remote travel and lodging.

Task 1 Program Implementation and Tracking (\$40,944)

Staff Costs are based on: RDSBC staff coordination and participation in 12 quarterly meetings X 2 hours per meeting X 3 RDSBC staff (72 hours); input, review, and submittal of 12 quarterly progress reports X 3 hours per report (36 hours); 3 annual SF425 federal financial reports X 3 hours per report (9 hours), 3 MBE/WBE utilization updates (3 hours); and input, review, and submit 1 final progress and SF425 federal financial report X 12 hours (12 hours). Thus 132 staff hours are anticipated for this task at \$50 per hour.

Consultant Costs are based on: QEP preparation, participation, and draft and final meeting summary for 12 quarterly meetings X 10 hours per meeting (120 hours); site list compilation, initial parcel owner coordination and research, and tracking for 3 annual site lists X 10 hours per list (30 hours); preparation of 12 quarterly X 6 hours per report (72 hours), and 1 final progress X 40 hours (40 hours). Thus 262 consulting hours are anticipated for this task at \$120 per hour.

Task 2 Environmental Site Assessment and Planning (\$408,116)

Staff Costs are based on: RDSBC staff coordination, review, comment, and approval of 16 Site Eligibility Forms X 2 hours per form (32 hours); 16 Site Access Agreements (16 hours); 16 Phase I

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ESAs X 4 hours per report (64 hours); 6 SAPs X 4 hours per report (24 hours); 6 Phase II ESAs X 4 hours per report (24 hours); 3 Cleanup/Reuse Plans X 4 hours per Plan (12 hours); and 16 ACRES Property Profiles (16 hours). Thus 188 staff hours are anticipated for this task at \$50 per hour.

Consultant Costs are based on: 16 Site Eligibility Forms at \$575 per form (\$9,200); 16 Site Access Agreements X \$500 per form (\$8,000); 16 Phase I ESAs at \$8,200 per report (including remote travel) (\$131,200); 6 SAPs at \$5,000 per report (\$30,000); 6 Phase II ESAs at \$32,597 (including remote travel) (\$195,580); 3 Cleanup or Reuse Plans at \$5,200 per plan (\$15,600); and ACRES Property Profiles (including follow-up research) for current and prior RDSBC Brownfield sites with updates (\$5,000).

Task 3 Public Outreach and Document Development (\$150,940)

Staff Costs are based on: Participation in 24 public meeting presentations, including reviews of agendas and meeting summaries and remote travel (typically 2 – 4 hours of travel each way between County seats) for 1 RDSBC staff X average of 8 hours per meeting (192 hours); review and comment on draft Updated Public Outreach/Communications Plan (4 hours); review and comment on draft Updated Area Wide Planning document (8 hours); review and comment on 1 draft RDSBC Map and 7 draft updated Coalition Member maps (8 hours); review and comment on 16 Property Fact Sheets (16 hours); review and comment on 12 quarterly website updates (12 hours); review and comment on 36 monthly Facebook updates (36 hours); 3 RDSBC Staff participation in 2 Brownfields Conferences X 24 hours per conference (144 hours). Thus 420 staff hours are anticipated for this task at \$50 per hour (blended rate). Travel costs for Brownfields conference attendance are estimated at \$2,000 per person X 10 people (3 RDSBC staff plus 7 Coalition Member Representatives) X 2 conferences (\$40,000).

Consultant Costs are based on: 24 Meetings, including coordination, agendas, presentations, participation, and travel X \$1,850 per meeting (\$44,400); 1 draft and 1 final Updated Public Outreach/Communications Plan (\$3,000), 1 draft and 1 final Updated Area Wide Planning document (\$5,000), 1 draft and 1 final RDSBC Map (\$2,500), 7 draft and final updated Coalition Member maps (\$1,000 per map X 7 maps = \$7,000), up to 16 Property Fact Sheets X \$500 per fact sheet (\$8,000); 12 quarterly website updates X \$300 per update (\$3,600); 36 monthly Facebook updates X \$200 per update (\$7,200).

Table 2: Proposed Assessment Budget		Project Tasks			Total
		Task 1 Program Implementation & Tracking	Task 2: Environmental Site Assessment & Planning	Task 3: Public Outreach & Document Development	
Budget Categories					
Direct Costs	Personnel	\$6,600	\$9,400	\$21,000	\$37,000
	Fringe Benefits	\$2,904	\$4,136	\$9,240	\$16,280
	Travel	\$0	\$0	\$40,000	\$40,000
	Equipment	\$0	\$0	\$0	\$0
	Supplies	\$0	\$0	\$0	\$0
	Contractual	\$31,440	\$394,580	\$80,700	\$506,720
	Other	\$0	\$0	\$0	\$0
Total Direct Costs		\$40,944	\$408,116	\$150,940	\$600,000
Indirect Costs					
Total Budget (Total Direct Costs + Indirect Costs)		\$40,944	\$408,116	\$150,940	\$600,000

3.c. Measuring Environmental Results

The RDSBC maintains a running tally of its achievements over the course of both individual grant periods and the collective grant timeframe, as many projects are slow to develop and often extend beyond a single grant timeframe. Tracking is accomplished through both a table of “Measures of Success” and through the ACRES reporting platform. The Measures of Success table (see Table 3, below) identifies outputs for each task based on how many were projected to be completed in the grant application and associated work plan with how many outputs are achieved over the grant period. This information is reported the RDSBC Coalition Member Representatives as part of the agenda to be discussed and reviewed on a quarterly basis. Additionally, a portion of the project budget for ESAs is set aside to monitor previous grant projects’ performance and update ACRES with the information, and subsequently reported to during quarterly RDSBC meetings. The RDSBC Program Manager and Coalition Member Representatives work through their community partners, Board members, and the contracted QEP, as appropriate, to develop mitigative measures to rectify any delays identified during the quarterly meetings.

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE**4.a. Programmatic Capability****4.a.i. Organizational Structure & 4.a.ii. Description of Key Staff**

On behalf of the RDSBC, Nye County monitors ensures project completion and fund management in accordance with approved work plans and financial management practices. In the event Nye County faces employee turnover, the current staff is equipped to manage the workload until a qualified replacement is identified and selected. Nye County staff, will oversee the Coalition Program.

Ms. Dellinger, Nye County’s Assistant County Manager and RDSBC Program Manager, has a bachelor’s degree in business administration and years of experience managing County and Coalition projects and budgets. She will monitor grant deliverables, coordinate with Coalition representatives, oversee contractor payment and grant fund expenditures, and complete all grant reporting requirements within scheduled requirements. Ms. Dellinger will also oversee records maintenance and Program Administrative duties performed by Nye County’s Grants Administrator, Ms. Samantha Kramer. Mr. John Klenke, Technical Coordinator, is responsible for review and oversight of all technical, environmental, planning, and mapping documents. Mr. Klenke has a bachelor’s degree in Geology with a minor in Mathematics and more than 20 years of experience in conducting site investigations and supporting environmental research projects. Finally, Mr. Arnold Knightly, Nye County’s Public Information Officer, will review and approve website, social media, and other press releases in advance of distribution for public consumption to ensure documents are released consistent with Nye County and RDSBC policy.

4.a.iii. Acquiring Additional Resources

Nye County has the ability to acquire additional technical expertise and resources either directly, through its procurement process, through its relationships with the other seven Coalition Members, or through coordination and cooperation with the organizations that have agreed to provide support to the RDSBC, six of which are listed in Section 2.b.i, Table 2.

4.b. Past Performance and Accomplishments**4.b.i. Currently Has or Previously Received an EPA Brownfields Grant**

Nye County has received many EPA and other federal grants; most recently, Nye leveraged funding to expand its regional approach to brownfields redevelopment.

(1) Accomplishments

As depicted in the table below, the Coalition met or surpassed the goals under the 2011, 2014, and 2017 Assessment Grants, with the exception of those associated with cleanup/reuse planning, as many developers chose to move forward with their own cleanup plans to expedite site redevelopment. Reflecting this, Inyo County successfully alleviated its USDA-designated food desert issues by redeveloping a

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brownfield site into a Grocery Outlet, bolstering food security, creating 20 permanent jobs, and leveraging more than \$3 Million in new investment for the area. Additional accomplishments are shown in Table 3, below, and all are reported in ACRES.

(2) Compliance with
Grant Requirements

A summary of Nye County's current and most recent EPA Assessment and RLF grants is provided below. Nye County was initially awarded a Brownfields Assessment Pilot grant in 2002, followed by a Hazardous Materials and Petroleum Brownfields Assessment Grants in 2005. In 2011, Nye County led a Brownfields Coalition grant to help four adjacent rural counties participate in the program and gain a better understanding of the Brownfields process. The program continues to evolve as other rural communities observe the success of the RDSBC and bring their own unique insights to the Coalition so all members can learn and grow through the experience, using Brownfields as a catalyst for economic diversification and sustainable development.

Table 3: Measures of Success	FY 2011, FY 2014, & FY 2017 Goals	Actual Accomplishments
Measures		
Site eligibility forms (by parcel)	50	75
ACRES Forms (by parcel)	56	64
Phase I ESAs (by parcel)	48	63
Sampling & Analysis Plans (by parcel)	17	16
Phase II ESAs (by parcel)	17	18
Clean-up/Reuse plans	17	9
Area Wide Plan	3	3
Website Updates	15	15
Public Meetings	32	38
Coalition/Member maps	36	57
Additional Funding Leveraged	N/A	>\$24 Million

Table 4: EPA Grant Management History (as of September 30, 2020)

Year	Type	Amount	Amount Expended	Reports on Time	Reports Accepted	Achieved Results
2011	Coalition Hazardous Assessment	\$700,000	\$700,000	Yes	Yes	Yes
2011	Coalition Petroleum Assessment	\$300,000	\$300,000	Yes	Yes	Yes
2012	Environmental Workforce Development and Job Training Grant	\$200,000	\$199,999	Yes	Yes	Yes
2013	Revolving Loan Fund	\$1,000,000	\$622,537	<i>On-going</i>	<i>On-going</i>	<i>On-going</i>
2014	Coalition Hazardous Assessment	\$420,165	\$411,561	Yes	Yes	Yes
2014	Coalition Petroleum Assessment	\$179,835	\$176,383	Yes	Yes	Yes
2016	Environmental Workforce Development and Job Training Grant	\$200,000	\$180,511	Yes	Yes	Yes
2017	Coalition Hazardous Assessment	\$420,000	\$414,929	Yes	Yes	Yes
2017	Coalition Petroleum Assessment	\$180,000	\$180,000	Yes	Yes	Yes
2018	Revolving Loan Fund	\$800,000	\$8,229	<i>On-going</i>	<i>On-going</i>	<i>On-going</i>

Nye County has an exemplary history of managing federal grant funds from the EPA. Nye County managed previous grants such that all quarterly reports, property profile forms, and annual financial status reports were completed in accordance with their approved work plans. Nye County Finance ensures proper payment to subcontractors and County staff and has maintained routine communication with grantors to address any financial management questions. Throughout management of federal and other grant funds, Nye County has complied with federal budgeting and reporting guidelines. ACRES reporting has evolved from bulk updates at regular intervals to site-specific updates and property profiles are created once a site has been deemed eligible. The profile is subsequently updated following completion of Phase I and II assessments or clean-up/reuse plans.

Attachment 1

Documentation of Applicant Eligibility

Nye, Esmeralda, Lincoln, Mineral, and White Pine Counties in State of Nevada, Inyo County in State of California, and the Duckwater Shoshone Tribe are eligible for funding as units of local government, and are therefore not required to submit documentation under this attachment.

The Nevada Rural Housing Authority (NRHA) is an eligible applicant as a quasi-governmental organization created by the Nevada State Legislature under Nevada Revised Statutes (NRS) 315.961 through 315.99874, as follows:

RURAL HOUSING AUTHORITY

General Provisions

NRS 315.961 Policy of State; findings and declarations.

1. It is the policy of this State to promote the health, welfare and safety of its residents and to develop more desirable neighborhoods and alleviate poverty in the counties, cities and towns of the State by making provision for decent, safe and sanitary housing facilities for persons of low and moderate income.

2. It is hereby found and declared:

(a) That there is a shortage of safe and sanitary dwelling accommodations in the rural areas of the State which are available to persons of low and moderate income, particularly senior citizens of low and moderate income, at rentals or prices they can afford;

(b) That the establishment and operation of a sufficient number of new local housing authorities to undertake housing projects on an individual basis in such counties and the cities and towns therein is not feasible at the present time due to geographic and economic circumstances;

(c) That the shortage of low-rent housing facilities in such counties can be partially remedied through state action by the establishment of a state housing authority having the power to undertake housing projects and make mortgage loans for residential housing; and

(d) That it is appropriate for such a state housing authority to issue obligations for the purpose of undertaking housing projects and providing mortgage loans for residential housing and to perform any other function authorized by [NRS 315.961](#) to [315.99874](#), inclusive.

(Added to NRS by [1973, 615](#); A [2005, 220](#))

NRS 315.962 Definitions. As used in [NRS 315.961](#) to [315.99874](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 315.963](#) to [315.976](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [1973, 615](#); A [1987, 523](#); [2005, 220](#))

NRS 315.963 “Area of operation” defined. “Area of operation” means any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more.

(Added to NRS by [1973, 615](#); A [2005, 221](#); [2011, 1213](#))

NRS 315.964 “Authority” and “State Authority” defined. “Authority” or “State Authority” means the Nevada Rural Housing Authority created by [NRS 315.977](#).

(Added to NRS by [1973, 615](#); A [1987, 523](#))

NRS 315.965 “Bonds” defined. “Bonds” means any bonds, notes, interim certificates, debentures or other obligations issued by the Authority pursuant to the provisions of [NRS 315.961](#) to [315.99874](#), inclusive.

(Added to NRS by [1973, 615](#); A [1987, 523](#); [2005, 221](#))

NRS 315.966 “City” defined. “City” means any incorporated city.

(Added to NRS by [1973, 615](#))

NRS 315.967 “Executive Director” defined. “Executive Director” means the Executive Director of the State Authority.

(Added to NRS by [1973, 615](#))

NRS 315.968 “Federal Government” defined. “Federal Government” includes the United States of America or any agency or instrumentality of the United States of America.

(Added to NRS by [1973, 616](#))

NRS 315.969 “Housing project” defined.

1. “Housing project” means any work or undertaking:

(a) To demolish, clear or remove buildings from any area acquired by the Authority;

(b) To provide decent, safe and sanitary rural dwellings, apartments or other living accommodations for persons of low and moderate income. Such work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, utilities, parks, site preparation, landscaping, administrative, health, recreational, welfare or other purposes; or

(c) To accomplish a combination of the foregoing.

2. “Housing project” also may be applied to the planning of the buildings and improvements, the acquisition or leasing of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith.

3. The term includes the acquisition or development of mobile home parks and facilities, the leasing or rental of mobile home lots in the park, or the purchase, leasing or rental of mobile homes.

(Added to NRS by [1973, 616](#); A [1983, 971](#); [2005, 221](#))

NRS 315.971 “Local housing authority” and “local authority” defined. “Local housing authority” or “local authority” means an authority as defined in [NRS 315.170](#).

(Added to NRS by [1973, 616](#); A [1975, 22](#))

NRS 315.972 “Obligee” defined. “Obligee” includes any bondholder, agent or trustee for any bondholder, or lessor demising to the Authority property used in connection with a housing project, or any assignee or assignees of such lessor’s interest or any part thereof, and the Federal Government when it is a party to any contract with the Authority.

(Added to NRS by [1973, 616](#))

NRS 315.973 “Persons of low and moderate income” defined. “Persons of low and moderate income” means individuals or families who lack the amount of income which is necessary, as determined by the Authority pursuant to the provisions of [NRS 315.9845](#), to enable

them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding.

(Added to NRS by [1973, 616](#); A [2005, 221](#))

NRS 315.976 “Town” defined. “Town” means any unincorporated town formed pursuant to the provisions of [chapter 269](#) of NRS.

(Added to NRS by [1973, 616](#))

Administration

NRS 315.977 Creation of Authority; appointment of commissioners; quorum; majority vote required to carry question.

1. The Nevada Rural Housing Authority, consisting of five commissioners, is hereby created.
2. The commissioners must be appointed as follows:
 - (a) Two commissioners must be appointed by the Nevada League of Cities.
 - (b) Two commissioners must be appointed by the Nevada Association of Counties.
 - (c) One commissioner must be appointed jointly by the Nevada League of Cities and the Nevada Association of Counties. This commissioner must be a current recipient of assistance from the Authority and must be selected from a list of at least five eligible nominees submitted for this purpose by an organization which represents tenants of housing projects operated by the Authority. If no such organization exists, the commissioner must be selected from a list of nominees submitted for this purpose from persons who currently receive assistance from the Authority. If during his or her term the commissioner ceases to be a recipient of assistance, the commissioner may continue to serve as a commissioner for the remainder of the unexpired term for which he or she was appointed if he or she resides within the area of operation of the Authority.

3. After the initial terms, the term of office of a commissioner is 4 years or until his or her successor takes office.

4. A majority of the commissioners constitutes a quorum, and a vote of the majority is necessary to carry any question.

5. If either of the appointing entities listed in subsection 2 ceases to exist, the pertinent appointments required by subsection 2 must be made by the successor in interest of that entity or, if there is no successor in interest, by the other appointing entity.

(Added to NRS by [1973, 616](#); A [1977, 1190](#); [1987, 523](#); [1993, 1553](#); [1995, 812](#), [2695](#), [2696](#); [1997, 450](#); [2011, 1378](#))

NRS 315.978 Certificate of appointment or reappointment of commissioner: Filing. A certificate of the appointment or reappointment of any commissioner shall be filed in the Office of the Secretary of State and in the Office of the Authority, and such certificate is conclusive evidence of the appointment of such commissioner.

(Added to NRS by [1973, 617](#); A [1977, 1191](#))

NRS 315.979 Organization of Authority: Officers; bylaws and rules; employees; report and recommendations.

1. As soon as possible after their appointment, the commissioners shall organize for the transaction of business by choosing a Chair and Vice Chair and by adopting bylaws and rules and regulations suitable to the purpose of organizing the Authority and conducting the business thereof.

2. The commissioners shall appoint an Executive Director and such other officers and employees as the Authority may require for the performance of its duties. The commissioners shall

prescribe the duties of each officer and employee, fix their salaries, and establish the terms and conditions of their employment.

3. At least once a year, the Authority shall submit to the Nevada League of Cities, the Nevada Association of Counties, and the governing body of each city and county in its area of operation a report of its activities for the preceding year and shall make recommendations with reference to such additional legislation or other actions as it deems necessary to carry out the purposes of [NRS 315.961](#) to [315.99874](#), inclusive.

(Added to NRS by [1973, 617](#); A [1985, 414](#); [1987, 523](#); [1995, 812](#); [2005, 221](#))

NRS 315.980 Compensation of commissioners. Each commissioner is entitled to receive compensation of \$80 per day for attendance at meetings of the Authority.

(Added to NRS by [1973, 617](#); A [1975, 298](#); [1981, 1979](#); [1985, 414](#); [1987, 524](#))

NRS 315.981 Conflicts of interest.

1. A commissioner or employee of the Authority shall not voluntarily acquire any interest, direct or indirect, except as a residential tenant, in any housing project, in any property included or planned to be included in any housing project, in any contract or proposed contract in connection with any housing project or in any mortgage loan for residential housing made pursuant to the provisions of [NRS 315.9983](#). Where the acquisition is not voluntary, the commissioner or employee shall immediately disclose the interest in writing to the Authority and the disclosure must be entered upon the minutes of the Authority. Upon disclosure, the commissioner or employee shall not participate in any action by the Authority involving the housing project, property, contract or mortgage loan for residential housing. If any commissioner or employee of the Authority previously owned or controlled an interest, direct or indirect, in any housing project or in any property included or planned to be included in any housing project, in any contract or proposed contract in connection with any housing project or in any mortgage loan for residential housing, he or she shall immediately disclose the interest in writing to the Authority and the disclosure must be entered upon the minutes of the Authority. Upon disclosure, the commissioner or employee shall not participate in any action by the Authority involving the housing project, property, contract or mortgage loan for residential housing.

2. A violation of any provision of this section constitutes malfeasance in office.

3. This section is not applicable to the acquisition of any interest in notes or bonds of the Authority or the execution of agreements by financial institutions for the deposit or handling of money in connection with a housing project or to act as trustee under any trust indenture.

(Added to NRS by [1973, 617](#); A [1975, 933](#); [1977, 1112](#); [1995, 2695](#); [1999, 1469](#); [2005, 222](#))

NRS 315.982 Removal of commissioners; filling of vacancy in office. A commissioner of the Authority may be removed from office, after a public hearing, by a majority vote of the other commissioners for neglect of duty or malfeasance in office. A vacancy in office must be filled for the remainder of the unexpired term by the entity or entities which appointed the commissioner.

(Added to NRS by [1973, 618](#); A [1995, 812](#))

NRS 315.983 Nature and functions; general powers; creation of nonprofit organization for development of housing projects.

1. Except as otherwise provided in [NRS 354.474](#) and [377.057](#), the Authority:

(a) Shall be deemed to be a public body corporate and politic, and an instrumentality, local government and political subdivision of the State, exercising public and essential governmental

functions, and having all the powers necessary or convenient to carry out the purposes and provisions of [NRS 315.961](#) to [315.99874](#), inclusive, but not the power to levy and collect taxes or special assessments.

(b) Is not an agency, board, bureau, commission, council, department, division, employee or institution of the State.

2. The Authority may:

(a) Sue and be sued.

(b) Have a seal.

(c) Have perpetual succession.

(d) Make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

(e) Deposit money it receives in any insured state or national bank, insured credit union, insured savings and loan association or insured savings bank, or in the Local Government Pooled Long-Term Investment Account created by [NRS 355.165](#) or the Local Government Pooled Investment Fund created by [NRS 355.167](#).

(f) Adopt bylaws, rules and regulations to carry into effect the powers and purposes of the Authority.

(g) Create a nonprofit organization which is exempt from taxation pursuant to 26 U.S.C. § 501(c)(3) and which has as its principal purpose the development of housing projects.

(h) Enter into agreements or other transactions with, and accept grants from and cooperate with, any governmental agency or other source in furtherance of the purposes of [NRS 315.961](#) to [315.99874](#), inclusive.

(i) Enter into an agreement with a local government in a county whose population is less than 100,000 to receive a loan of money from the local government in accordance with [NRS 354.6118](#).

(j) Acquire real or personal property or any interest therein, by gift, purchase, foreclosure, deed in lieu of foreclosure, lease, option or otherwise.

(Added to NRS by [1973, 618](#); A [1987, 524](#); [1995, 813](#); [1997, 450](#); [2005, 222](#); [2011, 1378](#))

NRS 315.9835 Area of operation. The State Authority may:

1. Except as otherwise provided in subsection 2, operate in any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more.

2. Provide services in any area of the State if the State Authority has contracted with the State or a local government to provide those services in that area. As used in this subsection, “services” does not include:

(a) The making of a mortgage loan pursuant to [NRS 315.9981](#) to [315.99874](#), inclusive;

(b) The issuance of a mortgage credit certificate;

(c) The issuance of bonds to finance a multifamily housing project;

(d) The allocation of a low-income housing tax credit; or

(e) Weatherization other than an assessment or inspection of property for weatherization.

3. As used in this section, “weatherization” means materials or measures, and their installation, that are used to improve the thermal efficiency of a building, facility, residence or structure.

(Added to NRS by [2005, 212](#); A [2011, 1213, 1379](#))

NRS 315.984 Powers of Authority concerning housing projects and low-rent housing; power of nonprofit organization concerning housing projects.

1. The Authority or a nonprofit corporation created pursuant to paragraph (g) of subsection 2 of [NRS 315.983](#) may,

within its area of operation, prepare, carry out and operate housing projects and provide for the construction, reconstruction, improvement, extension, alteration or repair of any such project or any part thereof.

2. The Authority may, within its area of operation, administer programs to subsidize that portion of a tenant's rental payments which represents the difference between the payment required in the lease and the amount paid under any program of the Federal Government.

3. The Authority may, within its area of operation, determine where there is a need for additional low-rent housing for persons of low and moderate income and where there is unsafe, insanitary or overcrowded housing.

4. The Authority may, within its area of operation, make studies and recommendations relating to the problems of relieving the shortage of low-rent housing and of eliminating unsafe, insanitary or overcrowded housing.

5. The Authority may, within its area of operation, cooperate with the Federal Government, state agencies, local housing authorities, counties, cities, towns and other political subdivisions of the State in action taken in connection with such problems.

(Added to NRS by [1973, 618](#); A [1987, 524](#); [1995, 813](#); [1997, 451](#); [2005, 223](#))

NRS 315.9845 Determination of income. The State Authority shall determine the amount of income which is necessary to enable a person or family, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding.

(Added to NRS by [2005, 212](#))

NRS 315.988 Powers of State Authority under Housing Authorities Law of 1947.

1. The State Authority may exercise all or any part or combination of the powers granted to local housing authorities in [NRS 315.450](#), [315.460](#) and [315.470](#) in connection with contracts, property, investments and related matters.

2. The provisions of [NRS 315.560](#) and [315.570](#) concerning powers of local housing authorities with respect to federal aid, housing in rural areas and related matters apply to the State Authority in the same manner and to the same extent as they apply to local authorities.

(Added to NRS by [1973, 619](#); A [1985, 271](#); [1987, 525](#); [2005, 223](#))

NRS 315.989 State projects subject to local ordinances. All housing projects of the Authority shall be subject to the planning, zoning, sanitary and building laws, ordinances and regulations applicable to the locality in which the housing project is situated.

(Added to NRS by [1973, 619](#))

NRS 315.990 Payments in lieu of taxes. The Authority shall agree with the governing body of each affected city, town, county or other political subdivision to make such payments in lieu of taxes as it finds consistent with the maintenance of the low-rent character of housing projects or the achievement of the purposes of [NRS 315.961](#) to [315.99874](#), inclusive.

(Added to NRS by [1973, 619](#); A [1987, 525](#); [2005, 223](#))

NRS 315.991 Acquisition, operation or disposition of property by public agencies: Law applicable. No provision of law with respect to the acquisition, operation or disposition of property by other public agencies shall be applicable to the Authority.

(Added to NRS by [1973, 619](#))

NRS 315.992 Exemption of property from execution, process and judgment lien; enforcement of certain encumbrances, pledges and liens.

1. Except as otherwise provided in subsection 2, all real and personal property of the Authority, including money, owned or held by it for the purposes of [NRS 315.961](#) to [315.99874](#), inclusive, are exempt from levy and sale by virtue of an execution or other judicial process. Execution or other judicial process may not issue against such property, nor may any judgment against the Authority be a charge or lien upon such property.

2. This section does not apply to or limit the right of obligees to foreclose or otherwise enforce any mortgage, deed of trust or other encumbrance of the Authority or the right of obligees to pursue any remedies for the enforcement of any pledge or lien given by the Authority on its rents, fees or revenues.

(Added to NRS by [1973, 619](#); A [1987, 525](#); [2005, 224](#))

NRS 315.993 Projects not to be constructed or operated for profit; fixing of rentals or payments.

1. The Authority shall not construct or operate any housing project for profit.

2. The Authority shall manage and operate its housing projects in an efficient manner so as to enable it to fix the rentals or payments for dwelling accommodations at low rates consistent with its providing decent, safe and sanitary dwelling accommodations for persons of low and moderate income.

3. The Authority shall fix the rentals or payments for dwellings in its housing projects at no higher rates than are necessary to produce revenue which, together with all other available money, revenue, income and receipts of the Authority from whatever sources derived, will be sufficient:

(a) To pay, as it becomes due, the principal and interest on the bonds of the Authority.

(b) To create and maintain such reserves as may be required to assure the payment of principal and interest as it becomes due on its bonds.

(c) To meet the cost of, and to provide for, maintaining and operating the housing projects, including necessary reserves therefor and the cost of any insurance, and the administrative expenses of the Authority.

(d) To make such payments in lieu of taxes as it determines are consistent with the maintenance of the low-rent character of the housing projects.

4. For the purposes of this section, a housing project constructed or operated by the Authority that is eligible for credit for low-income housing pursuant to 26 U.S.C. § 42 is not constructed or operated for profit.

(Added to NRS by [1973, 620](#); A [1995, 813](#); [1997, 451](#); [2005, 224](#))

NRS 315.994 Tenant selection. In the operation or management of its housing projects, the Authority shall at all times observe the following duties with respect to rentals and tenant admissions:

1. It may rent or lease the dwelling accommodations therein only to persons of low and moderate income.

2. It may rent or lease to a tenant dwelling accommodations consisting of the number of rooms, but no greater number, which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding.

3. It shall not accept any person or persons as tenants in any housing project if the person or persons who occupy the dwelling accommodations have, at the time of admission, an aggregate annual net income, less an exemption of \$200 for each minor member of the family other than the

head of the family and his or her spouse, in excess of 7 times the annual rental of the quarters to be furnished such person or persons; but the Authority may agree to conditions as to tenant eligibility or preference required by the Federal Government pursuant to federal law in any contract for financial assistance with the Authority. In computing the rental for this purpose of admitting tenants, there shall be included in the rental the average annual cost, as determined by the Authority, to occupants of heat, water, electricity, gas, cooking fuel, and other necessary services or facilities, whether or not the charge for such services and facilities is included in the rental.

(Added to NRS by [1973, 620](#); A [2005, 224](#))

NRS 315.995 Remedies of Authority's obligee: Effect of [NRS 315.993](#) and [315.994](#). Nothing contained in [NRS 315.993](#) and [315.994](#) shall be construed as limiting the power of the Authority to vest in an obligee the right, in the event of a default by the Authority, to take possession thereof or cause the appointment of a receiver thereof, free from all the restrictions imposed by such sections.

(Added to NRS by [1973, 620](#))

NRS 315.996 Powers of state public bodies respecting housing projects. The provisions of [NRS 315.550](#) apply to housing projects of the State Authority undertaken pursuant to the provisions of [NRS 315.961](#) to [315.99874](#), inclusive, in the same manner and to the same extent as they apply to projects of local authorities.

(Added to NRS by [1973, 620](#); A [1985, 271](#); [1987, 525](#))

Financing

NRS 315.9981 Definitions. As used in [NRS 315.9981](#) to [315.99874](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 315.99815](#) to [315.99828](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [2005, 211](#))

NRS 315.99815 "Lending institution" defined. [Effective through December 31, 2019.] "Lending institution" means any bank or trust company, Federal National Mortgage Association approved mortgage banker, national banking association, savings and loan association, savings bank or other financial institution or governmental agency of the United States which customarily provides service or otherwise aids in the financing of mortgages located in this State.

(Added to NRS by [2005, 211](#))

NRS 315.99815 "Lending institution" defined. [Effective January 1, 2020.] "Lending institution" means any bank or trust company, Federal National Mortgage Association approved mortgage company, national banking association, savings and loan association, savings bank or other financial institution or governmental agency of the United States which customarily provides service or otherwise aids in the financing of mortgages located in this State.

(Added to NRS by [2005, 211](#); A [2017, 3097](#), effective January 1, 2020)

NRS 315.99818 "Mortgage" defined. "Mortgage" means a mortgage deed, deed of trust or other instrument which constitutes a lien on real property in fee simple or on a leasehold under a lease whose remaining term, at the time such mortgage is acquired, does not expire for at least that number of years beyond the maturity date of the obligation secured by such mortgage as is established by the State Authority as necessary to protect its interest as mortgagee.

(Added to NRS by [2005, 211](#))

NRS 315.9982 “Mortgage loan” defined. “Mortgage loan” means an interest-bearing obligation secured by a mortgage on land and improvements in this State.

(Added to NRS by [2005, 211](#))

NRS 315.99825 “Real property” defined. “Real property” means all lands, including rights to space above the lands, improvements and fixtures on the lands and property of any nature appurtenant to or used in connection with the lands, and every estate, interest and right, legal or equitable, in the lands, including terms of years and liens by way of judgment, mortgage or otherwise and the indebtedness secured by such liens.

(Added to NRS by [2005, 211](#))

NRS 315.99828 “Residential housing” defined. “Residential housing” means one or more new or existing residential dwelling units financed pursuant to the provisions of [NRS 315.9981](#) to [315.99874](#), inclusive, for the primary purpose of providing decent, safe and sanitary dwelling accommodations for persons of low and moderate income in need of housing, including any buildings, manufactured homes, mobile homes, mobile home parks, land, improvements, equipment, facilities, other real or personal property, or other related nonhousing facilities which are necessary, convenient or desirable in connection therewith, and including, without limitation, streets, sewers, utilities, parks, site preparation, landscaping and other nonhousing facilities such as administrative, community, transportation, health, recreational, educational, commercial, retail, welfare and public facilities which the State Authority determines improve the quality of the residential living for persons of low and moderate income.

(Added to NRS by [2005, 212](#))

NRS 315.9983 Mortgages and loans: Generally. The State Authority may make, undertake commitments to make and participate with lending institutions in the making of mortgage loans to finance the acquisition, construction, development, renewal, redevelopment, rehabilitation or refinancing of residential housing, including, without limitation, single family and multifamily housing, within this State.

(Added to NRS by [2005, 212](#))

NRS 315.99832 Mortgages and loans: Security; repayment; interest. Any mortgage loan made by the State Authority must be secured in such manner, be repaid in such period and bear interest at such rate or rates as are determined by the State Authority.

(Added to NRS by [2005, 212](#))

NRS 315.99834 Mortgages and loans: Related powers. The State Authority may:

1. Renegotiate, refinance or foreclose, or contract for the foreclosure of, any mortgage in default;
2. Waive any default or consent to the modification of the terms of any mortgage;
3. Commence any action to protect or enforce any right conferred upon it by any law, mortgage, contract or other agreement;
4. Bid for and purchase property upon which it holds a mortgage at any foreclosure or at any other sale, or acquire and take possession of any such property;

5. Operate, manage, lease, dispose of and otherwise deal with such property in such manner as may be necessary to protect the interest of the State Authority and the holders of its bonds, notes and other obligations; and

6. Consent to any modification with respect to rate of interest, time and payment of any installment of principal or interest, security or any other term of any contract, mortgage, mortgage loan, mortgage loan commitment, contract or agreement of any kind to which the State Authority is a party, subject to any agreement with bondholders or noteholders.

(Added to NRS by [2005, 212](#))

NRS 315.99836 Mortgages and loans: Fees and charges. The State Authority may charge and collect such fees and charges as the State Authority may establish from time to time for its making of mortgage loans for residential housing.

(Added to NRS by [2005, 213](#))

NRS 315.99838 Mortgages and loans: Insurance. The State Authority may procure insurance against any loss in connection with its property and other assets, including mortgages and mortgage loans, in such amounts and from such insurers as it deems desirable.

(Added to NRS by [2005, 213](#))

NRS 315.9984 Findings necessary for financing. The State Authority shall not finance any residential housing unless, before such financing, the State Authority finds that:

1. There exists a shortage of decent, safe and sanitary housing at rentals or prices which eligible families can afford within the general housing market area as determined by the State Authority.

2. Private enterprise and investment have been unable, without assistance, to provide an adequate supply of decent, safe and sanitary housing in such housing market area at rentals or prices which persons or families of low and moderate income can afford or to provide sufficient mortgage financing for residential housing for occupancy by such persons or families.

3. The proposed residential housing will increase the supply or improve the quality of decent, safe and sanitary housing for eligible families.

4. The residential housing to be developed or assisted by the State Authority pursuant to the provisions of [NRS 315.9981](#) to [315.99874](#), inclusive, will be of public use and will provide a public benefit.

5. The estimates of the State Authority of its revenues from the financing of the residential housing, together with all subsidies, grants or other financial assistance from governmental agencies or other entities to be received in connection with the residential housing, will be sufficient to pay the amount estimated by the State Authority as necessary for debt service on its notes and bonds to be issued for the financing of the residential housing.

(Added to NRS by [2005, 213](#))

NRS 315.99842 Notes, bonds and other obligations: Issuance; amounts; payment.

1. The State Authority may issue its negotiable notes and bonds in such principal amount as the State Authority determines to be necessary to provide sufficient money for achieving any of its statutory purposes, including the payment of interest on notes and bonds of the State Authority, establishment of bond reserve funds and other reserves to secure the notes and bonds, and all other expenditures of the State Authority necessary or convenient to carry out its statutory purposes and powers.

2. Subject to any agreements with holders of notes or bonds, all notes and bonds issued by the State Authority are special obligations of the State Authority payable out of any revenues, money or other assets of the State Authority pledged thereto.

(Added to NRS by [2005, 213](#))

NRS 315.99844 Notes, bonds and other obligations: Type; interest; sale. The bonds issued pursuant to [NRS 315.99842](#) may be issued as serial bonds payable in annual installments or as term bonds, or as a combination thereof. The notes and bonds must bear interest at such a rate or rates, be in such denominations, have such registration privileges, be executed in such a manner, be payable in such a medium of payment, at such a place or places within or outside of the State, and be subject to such terms of redemption as the State Authority determines. The notes and bonds of the State Authority may be sold by the State Authority at public or private sale at such a price or prices as the State Authority determines except that no note, bond or other obligation issued by the State Authority may be initially distributed to the public unless it has received a rating in one of the three highest rating categories from a national rating service.

(Added to NRS by [2005, 213](#))

NRS 315.99846 Notes, bonds and other obligations: Pledges. The State Authority in issuing any notes or bonds may contract with the holders thereof as to:

1. Pledging all or any part of the revenues of the State Authority to secure the payment of the notes or bonds subject to such agreements with noteholders or bondholders as may then exist.

2. Pledging all or any part of the assets of the State Authority, including mortgages and obligations securing such assets, to secure the payment of the notes or bonds subject to such agreements with noteholders or bondholders as may then exist.

3. The use and disposition of the gross income from mortgages owned by the State Authority and the payment of principal of mortgages owned by the State Authority.

4. The setting aside of reserves or sinking funds and the regulation and disposition thereof.

5. Limitations on the purpose to which the proceeds of sale of notes or bonds may be applied and pledging such proceeds to secure the payment of the notes or bonds or of any issue thereof.

6. Limitations on the issuance of additional notes or bonds, the terms upon which additional notes or bonds may be issued and secured, and the refunding of outstanding or other notes or bonds.

7. The procedure, if any, by which the terms of any contract with noteholders or bondholders may be amended or abrogated, the amount of notes or bonds the holders of which must consent thereto and the manner in which such consent may be given.

8. Limitations on the amount of money to be expended by the State Authority for operating expenses of the State Authority.

9. Vesting in a trustee or trustees such property, rights, powers and duties in trust as the State Authority may determine, which may include any or all of the rights, powers and duties of the trustee appointed by the bondholders pursuant to [NRS 315.9981](#) to [315.99874](#), inclusive, and limiting or abrogating the right of the bondholders to appoint a trustee under this act or limiting the rights, powers and duties of such trustee.

10. Defining the acts or omissions which constitute a default in the obligations and duties of the State Authority to the holders of the notes or bonds and providing for the rights and remedies of the holders of the notes or bonds in case of such default, including, as a matter of right, the appointment of a receiver, but such rights and remedies must not be inconsistent with the general laws of this State and the other provisions of [NRS 315.9981](#) to [315.99874](#), inclusive.

11. Any other matters, of like or different character, which in any way affect the security or protection of the holders of the notes or bonds.

Any pledge made by the State Authority is valid and binding from the time the pledge is made. The revenues, money or property so pledged and thereafter received by the State Authority are immediately subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge is valid and binding as against all persons having claims of any kind in tort, contract or otherwise against the State Authority, whether or not such persons have notice thereof. Neither the proceedings of the State Authority relating to the bonds or notes nor any other instrument by which a pledge is created need be recorded.

(Added to NRS by [2005, 214](#))

NRS 315.99848 Notes, bonds and other obligations: Trust indentures. In the discretion of the State Authority, bonds issued by the State Authority may be secured by a trust indenture or trust indentures by and between the State Authority and a corporate trustee, which may be any trust company or bank having the power of a trust company within or outside this State. Such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the State Authority in relation to the exercise of its statutory powers and the custody, safeguarding and application of all money. The State Authority may provide by such trust indenture for the payment of the proceeds of the bonds and the revenues to the trustee under such trust indenture or other depository, and for the method of disbursement thereof, with such safeguards and restrictions as the State Authority may determine. All expenses incurred in carrying out such trust indenture may be treated as part of the operating expenses of the State Authority. Such trust indenture may limit or abrogate the right of the holders of any bonds, notes or other obligations of the State Authority to appoint a trustee under [NRS 315.9981](#) to [315.99874](#), inclusive, or limit the rights, powers and duties of such trustee.

(Added to NRS by [2005, 215](#))

NRS 315.9985 Notes, bonds and other obligations: Guarantees of payment. The State Authority may procure or agree to the procurement of insurance or guarantees from any governmental agency or from any private insurance company, of the payment of any bonds or notes or any other evidences of indebtedness thereof issued by the State Authority or by any lending institution, and may pay premiums on such insurance.

(Added to NRS by [2005, 215](#))

NRS 315.99852 Notes, bonds and other obligations: Redemption; remarketing or refunding.

1. The State Authority, subject to such agreements with noteholders or bondholders as may then exist, may, out of any money available therefor, purchase its notes or bonds to retire and cancel them. The price must not exceed:

(a) The redemption price then applicable plus accrued interest to the next interest payment thereon if the notes or bonds are then redeemable; or

(b) The redemption price applicable on the first date after the purchase upon which the notes or bonds become subject to redemption plus accrued interest to that date if the notes or bonds are not redeemable.

2. The State Authority may, in connection with any remarketing or refunding of its notes or bonds or for any of its purposes, acquire, or cause to be acquired, its notes or bonds without retiring and cancelling them.

(Added to NRS by [2005, 215](#))

NRS 315.99854 Notes, bonds and other obligations: Provision for or requirement of means of assuring repayment; payment of associated fees and costs. The State Authority may:

1. Provide that any bonds or notes issued by the State Authority be insured or be secured by surety bonds, letters of credit not issued by the State Authority, guaranties or other means of assuring repayment of such bonds or notes.

2. Require that any loans, including a mortgage loan, made or purchased by the State Authority be insured or be secured by surety bonds, letters of credit not issued by the State Authority, guaranties or other means of assuring repayment of such loans.

3. Pay the fees, charges, premiums and any other costs associated with obtaining and maintaining insurance, or other means of assuring repayment, from any available money of the State Authority, including premiums, fees and charges assessed against sponsors, lending institutions or other participants or beneficiaries of the programs of the State Authority.

(Added to NRS by [2005, 215](#))

NRS 315.99856 Notes, bonds and other obligations: Waiver of exemption of interest from federal income taxation; issuance of obligations not exempt from taxation. The State Authority may:

1. Waive, by such means as the State Authority deems appropriate, any exemption from federal income taxation of interest on the bonds, notes or other obligations of the State Authority provided by 26 U.S.C. §§ 141 to 149, inclusive, and related portions of the Internal Revenue Code or any succeeding code or other federal statute providing a similar exemption; or

2. Issue notes, bonds or other obligations, the interest on which is not exempt from federal income taxation or excluded from gross revenue for the purpose of federal income taxation, if necessary to carry out the purposes of [NRS 315.961](#) to [315.99874](#), inclusive.

(Added to NRS by [2005, 216](#))

NRS 315.99858 Notes, bonds and other obligations: Refunding obligations.

1. The State Authority may issue refunding obligations to refund any obligations then outstanding which have been issued under the provisions of [NRS 315.9981](#) to [315.99874](#), inclusive, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of the obligations and for any statutory purpose of the State Authority. The issuance of the obligations, the maturities and other details thereof, the rights of the holders thereof, and the rights, duties and obligations of the State Authority in respect to them are governed by the provisions of [NRS 315.9981](#) to [315.99874](#), inclusive, which relate to the issuance of original obligations insofar as appropriate.

2. Refunding obligations issued as provided in this section may be sold or exchanged for outstanding obligations issued under [NRS 315.9981](#) to [315.99874](#), inclusive, and, if they are sold, the proceeds thereof may be applied, in addition to any other authorized purposes, to the purchase, redemption or payment of the outstanding obligations. Pending the application of the proceeds of the refunding obligations, with any other available funds, to the purpose for which they are issued, the proceeds may be invested in direct obligations of, or obligations the principal of and the interest

on which are unconditionally guaranteed by the United States of America, or obligations of any agency or instrumentality of the United States of America, which mature or which are subject to redemption by the holders thereof, at the option of such holders, not later than the respective dates when the proceeds, together with the interest accruing thereon, will be required for the purposes intended.

(Added to NRS by [2005, 216](#))

NRS 315.9986 Notes, bonds and other obligations: Establishment, use and requirements for bond reserve funds.

1. The State Authority may establish one or more bond reserve funds, and shall pay into each such bond reserve fund:

(a) Any money appropriated by the Legislature for the purpose of the fund;

(b) Any proceeds of sale of notes or bonds to the extent provided in connection with the issuance thereof; and

(c) Any other money which may be available to the State Authority for the purpose of the fund from any other source or sources.

È All money held in any bond reserve fund, except as otherwise expressly provided in [NRS 315.9981](#) to [315.99874](#), inclusive, must be used, as required, solely for the payment of the principal of bonds secured in whole or in part by the fund or of the sinking fund payments with respect to such bonds, the purchase or redemption of such bonds, the payment of interest on such bonds or the payment of any redemption premium required to be paid when the bonds are redeemed before maturity.

2. Money in such a fund must not be withdrawn from the fund at any time in an amount that would reduce the amount of the fund below the requirement established for that fund, except to pay when due, with respect to bonds secured in whole or in part by that fund, principal, interest, redemption premiums and sinking fund payments for the payment of which other money of the State Authority is not available.

(Added to NRS by [2005, 216](#))

NRS 315.99862 Notes, bonds and other obligations: Limitations on bond reserve funds.

The State Authority shall not at any time pursuant to [NRS 315.9981](#) to [315.99874](#), inclusive, issue bonds, secured in whole or in part by a bond reserve fund, if upon the issuance of those bonds, the amount in that bond reserve fund will be less than the bond reserve fund requirement for that fund, unless the State Authority at the time of issuance of those bonds deposits in that fund from the proceeds of the bonds issued, or from other sources, an amount which, together with the amount then in that fund, will not be less than the bond reserve fund requirement for that fund. The bond reserve fund requirement, as of any particular date of computation, is an amount of money, specified in the proceedings of the State Authority authorizing the bonds with respect to which the fund is established, necessary to provide adequate reserves for debt service on the bonds.

(Added to NRS by [2005, 217](#))

NRS 315.99864 Notes, bonds and other obligations: Purpose of bond reserve fund requirements. The provision of bond reserve fund requirements is designed to assure the continued operation and solvency of the State Authority for the carrying out of its statutory purposes.

(Added to NRS by [2005, 217](#))

NRS 315.99866 Notes, bonds and other obligations: Remedies of bondholders and noteholders.

1. If the State Authority defaults in the payment of principal of or interest on any bonds or notes issued under [NRS 315.9981](#) to [315.99874](#), inclusive, after it is due, whether at maturity or upon call for redemption, and such default continues for a period of 30 days, or if the State Authority fails or refuses to comply with the provisions of [NRS 315.9981](#) to [315.99874](#), inclusive, or defaults in any agreement made with the holders of an issue of its bonds or notes, the holders of 25 percent in aggregate principal amount of the bonds or notes of such issue then outstanding, by instrument or instruments filed in the Office of the Secretary of State and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of such bonds or notes for the purposes provided in this section.

2. The trustee may, and upon written request of the holders of 25 percent in principal amount of such bonds or notes then outstanding shall, in his, her or its own name:

(a) Enforce the right of the bondholders or noteholders to require the State Authority to collect interest and amortization payments on the mortgages held by it adequate to carry out any agreement as to, or pledge of, such interest and amortization payments, and to require the State Authority to carry out any other agreements with the holders of such bonds or notes and to perform its duties under [NRS 315.9981](#) to [315.99874](#), inclusive.

(b) Enforce the right of the bondholders or noteholders to collect and enforce the payment of principal of and interest due or becoming due on loans to lending institutions and collect and enforce any rights in respect to collateral securing such loans or sell such collateral, so as to carry out any contract as to, or pledge of revenues, and to require the State Authority to carry out any contract as to, or pledge of revenues, and to require the State Authority to perform its duties under [NRS 315.9981](#) to [315.99874](#), inclusive.

(c) Bring suit upon all or any part of such bonds or notes.

(d) By civil action, require the State Authority to account as if it were the trustee of an express trust for the holders of such bonds or notes.

(e) By civil action, enjoin any acts or things which may be unlawful or in violation of the rights of the holders of such bonds or notes.

(f) Declare all such bonds or notes due, and if all defaults are made good then with the consent of the holders of 25 percent of the principal amount of such bonds or notes then outstanding, to annul such declaration and its consequences.

(g) Enforce any other right of the bondholders or noteholders conferred by law or by the proceedings of the State Authority authorizing the issuance of the bonds or notes.

3. The trustee shall, in addition to the powers listed in subsection 2, have all the powers necessary or appropriate for the exercise of any functions specifically set forth in this section or incident to the general representation of bondholders or noteholders in the enforcement and protection of their rights.

4. Before declaring the principal of bonds or notes due, the trustee shall give 30 days' notice in writing to the Governor, to the State Authority and to the Attorney General of this State.

5. The District Court of the First Judicial District has jurisdiction of any suit, action or proceeding by the trustee on behalf of bondholders or noteholders.

(Added to NRS by [2005, 217](#))

NRS 315.99868 Notes, bonds and other obligations: Pledge against impairment of holders' rights and remedies; credit of State or political subdivision not pledged.

1. The State of Nevada hereby pledges to and agrees with the holders of any notes or bonds issued under [NRS 315.9981](#) to [315.99874](#), inclusive, that the State will not limit or alter the rights vested in the State Authority by [NRS 315.9981](#) to [315.99874](#), inclusive, to fulfill the terms of any agreements made with such holders or in any way impair the rights and remedies of such holders until such notes and bonds, together with the interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged. The State Authority may include this pledge and agreement of the State in any agreement with the holders of such notes or bonds.

2. Obligations issued under the provisions of [NRS 315.9981](#) to [315.99874](#), inclusive, including letters of credit issued by the State Authority, do not constitute a debt, liability or obligation of this State or of any political subdivision thereof, or a pledge of the faith and credit of this State or of any political subdivision thereof, but are payable solely from the revenues or assets of the State Authority. Neither the commissioners of the State Authority nor any person executing the bonds is liable personally on the bonds by reason of the issuance thereof. Each obligation, including a letter of credit, issued under [NRS 315.9981](#) to [315.99874](#), inclusive, must contain on the face thereof a statement to the effect that the State Authority is not obligated to pay the obligation or the interest thereon except from the revenues or assets pledged therefor and that neither the faith and credit nor the taxing power of this State or of any political subdivision thereof is pledged to the payment of the principal of or the interest on the obligation. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

(Added to NRS by [2005, 218](#))

NRS 315.9987 Notes, bonds and other obligations: Submission to and certification by Attorney General. The State Authority may submit to the Attorney General of the State any bonds to be issued under [NRS 315.9981](#) to [315.99874](#), inclusive, after all proceedings for the issuance of such bonds have been taken. Upon the submission of such proceedings to the Attorney General, the Attorney General shall examine into and pass upon the validity of such bonds and the regularity of all proceedings in connection therewith. If the proceedings conform to the provisions of [NRS 315.9981](#) to [315.99874](#), inclusive, and are otherwise regular in form, and if such bonds when delivered and paid for will constitute binding and legal obligations of the State Authority enforceable according to the terms thereof, the Attorney General shall certify in substance upon the back of each of the bonds that it is issued in accordance with the Constitution and laws of the State of Nevada.

(Added to NRS by [2005, 219](#))

NRS 315.99872 Notes, bonds and other obligations: Legal investments; securities.

1. The notes and bonds of the State Authority are legal investments in which all public officers and public bodies of the State, its political subdivisions, all municipalities and municipal subdivisions, all insurance companies and associations and other persons carrying on an insurance business, all banks, savings and loan associations, savings banks and trust companies, all administrators, guardians, executors, trustees and other fiduciaries, and all other persons who are authorized to invest in bonds or in other obligations of this State, may properly and legally invest funds, including capital, in their control or belonging to them. The notes and bonds are securities which may properly and legally be deposited with and received by all public officers and public bodies of the State or any agency or political subdivision of the State and all municipalities and

public corporations for any purpose for which the deposit of bonds or other obligations of this State is authorized by law and may be used as collateral to secure any deposit of public money.

2. The notes and bonds of the State Authority are securities within the meaning of the Uniform Commercial Code — Investment Securities.

(Added to NRS by [2005, 219](#))

NRS 315.99874 Notes, bonds and other obligations: Signatures of commissioners and officers. If any of the commissioners or officers of the State Authority whose signatures appear on any bonds or coupons cease to be such commissioners or officers before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such commissioners or officers had remained in office until such delivery.

(Added to NRS by [2005, 219](#))

Attachment 2

Letters of Commitment From:

Nye County (Reference Narrative Information Sheet as Lead Applicant)

Duckwater Shoshone Tribe

Esmeralda County, Nevada

Inyo County, California

Lincoln County, Nevada

Mineral County, Nevada

Nevada Rural Housing Authority

White Pine County, Nevada



DUCKWATER SHOSHONE TRIBE

511 Duckwater Falls Road, P.O. Box 140068
Duckwater, Nevada 89314
(775) 863-0227 Phone
(775) 863-0301 Fax

October 19, 2020

Mr. Tim Sutton
County Manager
Nye County
2100 E. Walt Williams Dr., Ste. 100
Pahrump, NV 89048

Dear Mr. Sutton:

SUBJECT: RURAL DESERT SOUTHWEST BROWNFIELDS COALITION ASSESSMENT GRANT

The Duckwater Shoshone Tribe in Nevada is pleased to partner with Nye County, Nevada to apply for a Fiscal Year 2021 U.S. Environmental Protection Agency Brownfields Assessment Coalition Grant.

We understand that Nye County will serve as the lead applicant and the other members of the Rural Desert Southwest Brownfields Coalition (RDSBC) are Esmeralda, Mineral, Lincoln, and White Pine Counties in Nevada, Inyo County in California, and the Nevada Rural Housing Authority.

We understand that assessment funding will assist each member of the Coalition in identifying and addressing issues related to "Brownfield" sites, or properties where potential contamination may be hindering reuse and redevelopment of those properties. We are eager to continue addressing the issues of potential brownfields sites on the Duckwater Reservation and to help facilitate the continued process of addressing potential brownfields site in other Coalition localities. We are pleased to continue to be a part of the redevelopment momentum built through the RDSBC and will keep working as part of the Coalition to develop plans to reuse and redevelop properties that may have contaminants present.

The Duckwater Shoshone Tribe understands the invaluable role this funding will serve in the communities and looks forward to continuing to participate in the coalition and work with community organizations and stakeholders involved in this effort.

Sincerely,

A handwritten signature in blue ink that reads "Kathy Adams Blackeye". The signature is fluid and cursive, with the first name "Kathy" being the most prominent.

Kathy Adams Blackeye
Duckwater Tribal Vice Chairwoman
Duckwater Shoshone Tribe



BOARD OF COUNTY COMMISSIONERS

Esmeralda County, Nevada

Members

DE WINSOR, Chairman
TIMOTHY HIPP, Vice-Chair
RALPH KEYES, Commissioner
233 Crook Ave, 2nd Floor
PO Box 517
Goldfield, Nevada 89013
accessesmeralda.org

Staff

Maureen Glennen
Administrative Assistant
Natalie Colunga
Administrative Clerk
Phone (775) 485-3406
Fax (775) 485-6351

esmboc2@gmail.com / mglenn@esmeraldacountynv.org

October 6, 2020

Mr. Tim Sutton, County Manager
Nye County, Nevada
2100 E. Walt Williams Dr., Ste 100
Pahrump, NV 89048

Dear Mr. Sutton,

SUBJECT: RURAL DESERT SOUTHWEST BROWNFIELD SW COALITION ASSESSMENT GRANT

Esmeralda County, Nevada is pleased to partner with Nye County, Nevada to apply for a Fiscal Year 2021 U.S. Environmental Protection Agency Brownfields Assessment Coalition Grant. We understand that assessment funding will assist each member of the Coalition in identifying and addressing issues related to "Brownfield" sites or properties where potential contamination may be hindering reuse and redevelopment of those properties.

We understand that Nye County will serve as the lead applicant. The other members of the Rural Desert Southwest Brownfields Coalition (RDSBC) are Mineral, Lincoln and White Pine Counties in Nevada, Inyo County in California, as well as the Duckwater Shoshone Tribe of the Duckwater Reservation and the Nevada Rural Housing Authority.

We are eager to continue addressing the issues of potential brownfields sites in Esmeralda County and to help facilitate the continued process of addressing potential brownfields sites in other Coalition counties. We are pleased to continue to be a part of the redevelopment momentum built through the RDSBC and will keep working as part of the Coalition to develop plans to reuse and redevelop properties that may have contaminants present.

Esmeralda County understands the invaluable role this funding will serve in the communities and we look forward to continuing to participate in the coalition and work with the community organizations and stakeholders involved in this effort.

Sincerely,


De Windsor, Chairman


Ralph Keyes, Member


Tim Hipp, Vice-Chairman



EL CAMINO SIERRA

BOARD OF SUPERVISORS COUNTY OF INYO

P. O. BOX N • INDEPENDENCE, CALIFORNIA 93526
TELEPHONE (760) 878-0373
e-mail: dellis@inyocounty.us

MEMBERS OF THE BOARD
DAN TOTTEROH
JEFF GRIFFITHS
RICK PUCCI
MARK TILLEMANS
MATT KINGSLEY

CLINT G. QUILTER
Clerk of the Board

DARCY ELLIS
Assistant Clerk of the Board

October 6, 2020

Mr. Tim Sutton
County Manager
Nye County
2100 E. Walt Williams Dr., Ste. 100
Pahrump, NV 89048

Dear Mr. Sutton:

Re: Brownfields Coalition Assessment Grant

On behalf of the Inyo County Board of Supervisors, I am pleased to express our intention to continue partnership with the Rural Desert Southwest Brownfields Coalition (RDSBC). As such, I am providing Nye County, Nevada our letter of commitment for inclusion in the Fiscal Year 2021 U.S. Environmental Protection Agency Brownfields Assessment Coalition Grant application.

We understand that Nye County will serve as the lead applicant and the other members of the Rural Desert Southwest Brownfields Coalition (RDSBC) are Esmeralda, Lincoln, Mineral, and White Pine Counties in Nevada, the Duckwater Shoshone Tribe of the Duckwater Reservation, and the Nevada Rural Housing Authority.

We understand that assessment funding will assist each member of the Coalition in identifying and addressing issues related to "Brownfield" sites, or properties where potential contamination may be hindering reuse and redevelopment of those properties. We are eager to continue addressing the issues of potential brownfields sites in Inyo County and to help facilitate the continued process of addressing potential brownfields site in other Coalition counties. We are pleased to continue to be a part of the redevelopment momentum built through the RDSBC and will keep working as part of the Coalition to develop plans to reuse and redevelop properties that may have contaminants present. Inyo County supports the invaluable role this funding will serve in the communities and looks forward to continuing to participate in the coalition and work with community organizations and stakeholders involved in this effort.

Best Regards,

Matt Kingsley
Chairperson, Inyo County Board of Supervisors



Board of County Commissioners
Lincoln County, Nevada

P.O. Box 90 – Pioche, Nevada 89043
Telephone (775) 962-8077
Fax (775) 962-5180

COUNTY COMMISSIONERS

Varlin Higbee, Chair
Jared Brackenbury, Vice Chair
Kevin Phillips
Bevan Lister
Keith Pearson

DISTRICT ATTORNEY

Dylan V. Frehner

COUNTY CLERK

Lisa C. Lloyd

September 21, 2020

Mr. Tim Sutton
County Manager
Nye County
2100 E. Walt Williams Dr., Ste. 100
Pahrump, NV 89048

Dear Mr. Sutton:

Re: Brownfields Coalition Assessment Grant

As one of the founding members of the Rural Desert Southwest Brownfields Coalition (RDSBC), Lincoln County, Nevada is pleased to continue our partnership with Nye County and the other RDSBC members, in applying for a Fiscal Year 2021 U.S. Environmental Protection Agency Brownfields Assessment Coalition Grant.

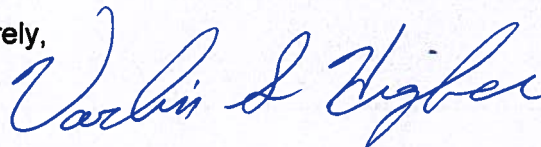
We understand that Nye County will serve as the lead applicant and the other members of the Rural Desert Southwest Brownfields Coalition (RDSBC) are Mineral, Esmeralda, and White Pine Counties in Nevada, Inyo County in California, the Duckwater Shoshone Tribe of the Duckwater Reservation, and the Nevada Rural Housing Authority.

Lincoln County has been a member of the RDSBC since 2011. We understand that assessment funding will assist each member of the Coalition in identifying and addressing issues related to "Brownfield" sites, or properties where potential contamination may be hindering reuse and redevelopment of those properties. We look forward to addressing the issues of potential brownfields sites in Lincoln County and helping facilitate the continued process of addressing potential brownfields sites in other Coalition counties.

We are pleased to be a part of the redevelopment momentum built through the RDSBC, property owners, economic development entities, and other stakeholders since 2011.

We will keep working as part of the Coalition to identify and assess potential brownfield sites and develop plans to reuse and redevelop these properties in a manner consistent with our goals for economic development and diversification.

Sincerely,

A handwritten signature in blue ink, reading "Varlin Higbee". The signature is fluid and cursive, with the first name "Varlin" and last name "Higbee" clearly distinguishable.

Varlin Higbee
Chairman Lincoln County Commission



BOARD OF MINERAL COUNTY COMMISSIONERS

Mineral County is an Equal Opportunity Provider



CHRIS HEGG, Chairman
CHRISTINE HOFERER, Vice Chairman
GARTH PRICE, Member
CHRIS NEPPER, Clerk of the Board

Telephone: 775-945-2446

Fax: 775-945-0706

PO Box 1450

Hawthorne, NV 89415

mincommissioner@mineralcountynv.org

GOVERNING BOARD FOR THE TOWNS OF:
HAWTHORNE, LUNING, MINA AND
WALKER LAKE
LIQUOR BOARD, GAMING BOARD,
COUNTY HIGHWAY COMMISSION
REGIONAL TRANSPORTATION COMMISSION

10/08/20

To whom it may concern,

This is a letter of commitment from the Mineral County Board of Commissioners to participate as a member of the RDSBC Coalition.

Please let us know if you need anything further.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Hegg".

Chris Hegg
Chairman, Board of County Commissioners



September 7, 2020

Mr. Tim Sutton
County Manager
Nye County
2100 E. Walt Williams Dr., Ste. 100
Pahrump, NV 89048

Dear Mr. Sutton:

Re: Brownfields Coalition Assessment Grant

Nevada Rural Housing Authority (NRHA) is an eligible entity for an Assessment Grant as a quasi-governmental organization created by the Nevada State legislature. Our organizing statutes can be found in Nevada Revised Statutes 315.961 through NRS 315.99874 (Rural Housing Authority: General Provisions, Administration, and Financing).

NRHA would like to partner with Nye County and the other Rural Desert Southwest Brownfields Coalition (RDSBC) members to apply for a Fiscal Year 2021 U.S. Environmental Protection Agency Brownfields Assessment Coalition grant.

NRHA understands that Nye County is the lead applicant in the Coalition and other Coalition members include Esmeralda, Mineral, Lincoln, and White Pine Counties in Nevada, Inyo County in California, and the Duckwater Shoshone Tribe of the Duckwater Reservation.

We understand that assessment funding will assist each community within the member Coalition's geo-political boundaries in identifying and addressing issues related to "Brownfield" sites, or properties where potential contamination may be hindering reuse and redevelopment of those properties.

NRHA looks forward, specifically, to working with the RDSBC to identify opportunities for using the Brownfields Program to help alleviate critical housing and other economic development needs. Our relationships with developers specializing in workforce and senior housing developments, coupled with our own experience in working through multiple funding resources to ensure rural housing projects are feasible should prove valuable to the Coalition and we are happy to share our expertise.

NRHA intends to work as an active member of the RDSBC and looks forward to an affirmative response from the Environmental Protection Agency so that this essential work can continue.

Sincerely,

William Brewer
Executive Director Nevada Rural Housing Authority



3695 Desatoya Drive Carson City, NV 89701 • P: 775-887-1795 • F: 775-887-1798

TDD: 800-545-1833 ext. 545 • nvrural.org • help@nvrural.org

This institution is an equal opportunity provider and employer.



*Richard Howe, Chairman
Travis Godon, Vice Chairman
Commissioner Shane Bybee
Commissioner Ian Bullis
Commissioner Laurie L. Carson*

801 Clark Street, Suite 4
Ely, Nevada 89301
(775) 293-6509
Fax (775) 289-2544

Nichole Baldwin, Ex-officio Clerk of the Board

**White Pine County
Board of County Commissioners**

WPClerk@whitepinecountynv.gov

September 23, 2020

Mr. Tim Sutton
County Manager
Nye County
2100 E. Walt Williams Dr., Ste. 100
Pahrump, NV 89048

Dear Mr. Sutton:

Re: Fiscal Year 2021 EPA Brownfields Assessment Coalition Grant

White Pine County, Nevada is pleased to partner with Nye County, Nevada to apply for a Fiscal Year 2021 U.S. Environmental Protection Agency Brownfields Assessment Coalition Grant.

We understand that Nye County will serve as the lead applicant and the other members of the Rural Desert Southwest Brownfields Coalition (RDSBC) are Mineral, Esmeralda, and Lincoln Counties in Nevada, Inyo County in California, the Duckwater Shoshone Tribe of the Duckwater Reservation, and the Nevada Rural Housing Authority.

We understand that assessment funding will assist each member of the Coalition in identifying and addressing issues related to "Brownfield" sites, or properties where potential contamination may be hindering reuse and redevelopment of those properties. We are eager to continue addressing the issues of potential brownfields sites in White Pine County and to help facilitate the process of addressing potential brownfields sites in other Coalition counties. As one of the original, founding members of the RDSBC (established in 2011), we are pleased to continue to be a part of the redevelopment momentum built through the RDSBC. We will keep working as part of the Coalition to inventory and assess potentially contaminated properties, help property owners and community members identify options for cleaning up and reusing those properties.

White Pine County understands the invaluable role this funding will serve in the communities and looks forward to continuing to participate in the coalition and work with community organizations and stakeholders involved in this effort.

Sincerely,



Richard Howe
Chairman White Pine County Commission

Attachment 3

Automated Standard Application for Payments

ACCOUNT STATEMENT INQUIRY

SENSITIVE BUT UNCLASSIFIED
Automated Standard Application for Payments
ACCOUNT STATEMENT INQUIRY

ALC/Region : (b) (6)
Recipient ID : (b) (6)
Account ID : (b) (6)
Account Detail :
Beginning Date : 06/30/2020

Short Name : RTP-Grants
Short Name : (b) (6)
From : 06/30/2020 To : 09/30/2020

Beginning Balance : \$87,628.93

Appl. Date	Eff. Date	Type	Increases	Decreases
07/31/2020	08/03/2020	PY		\$82,558.03
08/07/2020	08/07/2020	BE	\$17,078.66	
08/07/2020	08/07/2020	BE		\$17,078.66

Ending Date : 09/30/2020

Ending Balance : \$5,070.90

Attachment 4

Letters from the State and Tribal Environmental Authorities

Nevada Division of Environmental Protection

California Department of Toxic Substances Control

Duckwater Division of Natural Resources



STATE OF NEVADA
Department of Conservation & Natural Resources

Steve Sisolak, *Governor*
Bradley Crowell, *Director*
Greg Lovato, *Administrator*

October 13, 2020

Ms. Noemi Emeric-Ford
US Environmental Protection Agency Region 9
600 Wilshire Blvd. Suite 940
Los Angeles, California 90017

Subject: Support for the Rural Desert Southwest Brownfields Coalition Application for an
USEPA Brownfields Assessment Coalition Grant

Dear Ms. Emeric-Ford:

The Nevada Division of Environmental Protection Brownfields Program (NDEP BP) would like to offer its commitment to support the Rural Desert Southwest Brownfields Coalition's (RDSBC) application for funding under the US Environmental Protection Agency (US EPA) Brownfields Program. The RDSBC is an innovative partnership of municipalities consisting of Inyo County, California; Esmeralda, Lincoln, Mineral, Nye, and White Pine Counties, Nevada; the Duckwater Shoshone Tribe on the Duckwater Reservation; and the Nevada Rural Housing Authority. The NDEP BP understands and acknowledges the RDSBC is applying for a total of \$600,000 in Brownfields Assessment Coalition funding.

The program proposed by the Coalition will focus on the assessment, remediation, and redevelopment of identified brownfields properties to continue the effort of revitalizing the region. The Coalition's area-wide plan includes information pertaining to renewable energy, food security, workforce housing, and other socio-economic projects that enable member municipalities to maximize their social improvement through a multi-faceted approach to change. The formation of this coalition and its success will have outcomes that reach far beyond their geographic boundaries.

NDEP BP will work with the RDSBC to inform its constituency on the common link that leverages various programs to accomplish multiple objectives during the three-year grant timeframe – the brownfields program. For example, the RDSBC has added sites to its Brownfields inventory under the Bureau of Water Pollution Control's Integrated Source Water Protection Program to reduce the number of potential contaminant sources. Similarly, the RDSBC has identified sites through NDEP's Abandoned Mine Lands program, reducing the number of abandoned mines on private property.

If awarded the FY21 EPA Brownfields Assessment Coalition grant, NDEP BP would be pleased to provide regulatory assistance and advisory support to the RDSBC and to act as liaison with other NDEP Bureaus and Programs. NDEP BP supports the RDSBC's application to allow for the identification, characterization, and remediation of local environmental hazards. We are committed to working with the RDSBC and other NDEP representatives to make this initiative a success.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Friedman".

David Friedman
Nevada 128(a) Brownfields Coordinator
Nevada Division of Environmental Protection



DUCKWATER SHOSHONE TRIBE

511 Duckwater Falls Road, P.O. Box 140068
Duckwater, Nevada 89314
(775) 863-0227 Phone
(775) 863-0301 Fax

October 19, 2020

US Environmental Protection Agency Region 9
Attn: Ms. Noemi Emeric-Ford
600 Wilshire Blvd. Suite 940
Los Angeles, California 90017

Dear Ms. Emeric-Ford:

SUBJECT: SUPPORT OF RURAL DESERT SOUTHWEST BROWNFIELD COALITION FOR U.S. EPA BROWNFIELDS ASSESSMENT GRANT

The Duckwater Shoshone Tribe Division of Natural Resources (DNR), the environmental authority for the Duckwater Reservation, would like to offer its commitment to support the Rural Desert Southwest Brownfields Coalition's (RDSBC) application for funding under the United States Environmental Protection Agency (U.S. EPA) Brownfields Program. The RDSBC is an innovative partnership of municipalities consisting of Inyo County in California, Esmeralda, Lincoln, Mineral, Nye, and White Pine Counties in Nevada, the Duckwater Shoshone Tribe on the Duckwater Reservation, and the Nevada Rural Housing Authority. The DNR understands and acknowledges the RDSBC is applying for a total of \$600,000 in Brownfields Assessment funding.

The program proposed by the Coalition will focus on assessment and the ultimate remediation and redevelopment of the Coalition's identified brownfields properties, and the continued effort to revitalize the region. The Coalition's area-wide planning in support of renewable energy, food security, and other socio-economic projects will help these municipalities coordinate their projects on a regional level. The formation of this coalition and its success will have outcomes that reach far beyond their geographic boundaries.

The Duckwater Shoshone Tribe DNR will work with the RDSBC to educate its constituency on the relationship of other DNR programs, and how investment in brownfields forms the common link that can be used to leverage various programs and accomplish multiple objectives during the three-year grant timeframe. As an example, we understand the RDSBC prioritizes Brownfield sites for renewable energy, aligning with the Duckwater Shoshone Tribe's Renewable Energy Feasibility Assessment.

If awarded the EPA Brownfields Assessment Grant, the Duckwater Shoshone Tribe DNR would be pleased to provide regulatory assistance and advisory support to the RDSBC and to act as liaison with other DNR Programs, as appropriate. The Duckwater Shoshone Tribe DNR supports the RDSBC's application efforts to increase their ability to identify, characterize, and address local environmental hazards. We are committed to working with the RDSBC and other DNR representatives to make this initiative a success.

Sincerely,

Annette George
Director of Natural Resources
Duckwater Shoshone Tribe

Attachment to SF-424 for Question 14: Areas Affected by Project (Cities, Counties, States, etc.):

Lead Applicant:

Nye County, Nevada

Coalition Members:

Esmeralda County, Nevada

Lincoln County, Nevada

Mineral County, Nevada

White Pine County, Nevada

Inyo County, California

Duckwater Shoshone Reservation

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

10/28/2020

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

Choose State...

8. APPLICANT INFORMATION:

* a. Legal Name:

Nye County, Nevada

* b. Employer/Taxpayer Identification Number (EIN/TIN):

88-6000111

* c. Organizational DUNS:

0648139260000

d. Address:

* Street1:

2100 E. Walt Williams Drive, Suite 100

Street2:

* City:

Pahrump

County/Parish:

* State:

NV: Nevada

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

89048-1018

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Mr.

* First Name:

Timothy

Middle Name:

* Last Name:

Sutton

Suffix:

Title:

County Manager

Organizational Affiliation:

Nye County, Nevada

* Telephone Number:

775-751-7075

Fax Number:

775-751-7093

* Email:

tsutton@co.nye.nv.us

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

* 12. Funding Opportunity Number:

EPA-OLEM-OBLR-20-06

* Title:

FY21 GUIDELINES FOR BROWNFIELD ASSESSMENT GRANTS

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

1234-Attachment to SF 424.docx

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

Nye County Brownfields Assessment Program

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:**

* a. Applicant NV-004

* b. Program/Project NV-004

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date: 10/01/2021

* b. End Date: 09/30/2024

18. Estimated Funding (\$):

* a. Federal	600,000.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	600,000.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name: Savannah

Middle Name:

* Last Name: Rucker

Suffix:

* Title: Comptroller

* Telephone Number: 775-751-6391 Fax Number:

* Email: srrucker@co.nye.nv.us

* Signature of Authorized Representative: Savannah Rucker * Date Signed: 10/28/2020